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Analysis of Workers' Compensation Laws 1985

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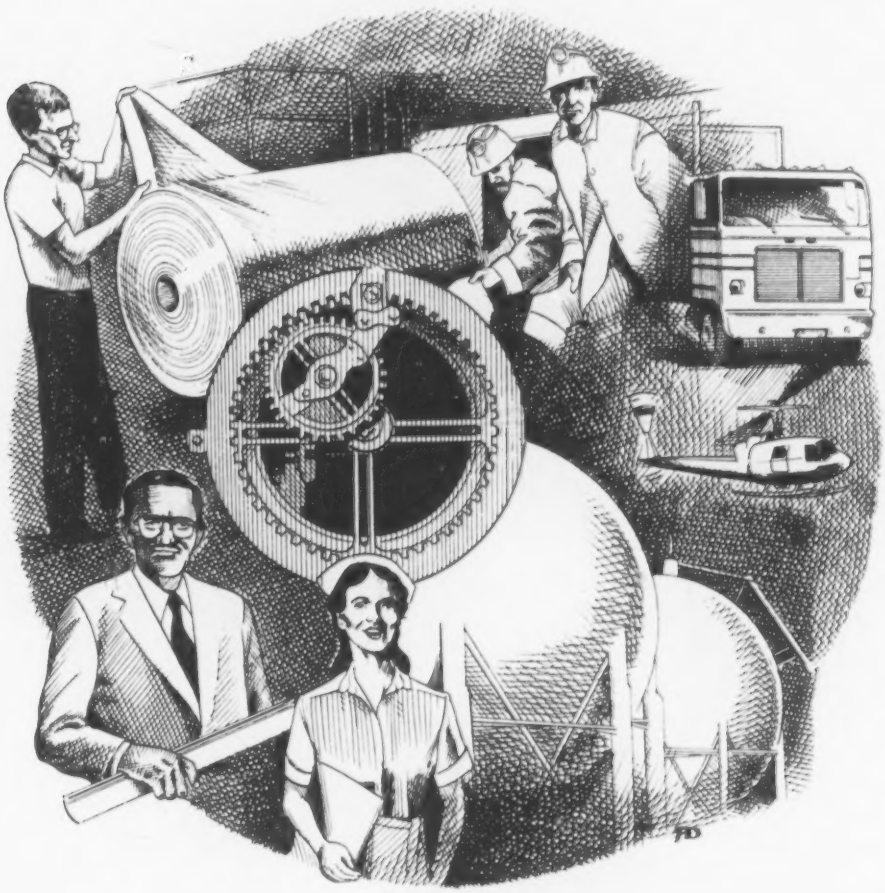

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FOREWORD

The 1985 edition of *Analysis of Workers' Compensation Laws* offers a bird's-eye view of the important provisions of workers' compensation statutes and is intended to provide both a comparison and an improved understanding of the various laws. Sixteen detailed charts are presented to aid employers, employees, insurance firms, agents, brokers, attorneys, physicians, and others in locating specific provisions of workers' compensation laws.

The *Analysis* tracks the statutory provisions of American Samoa and the U.S. Virgin Islands, as well as the laws of the 50 states, the District of Columbia, Guam, and Puerto Rico. Full treatment is also provided for the federal, provincial, and territorial laws of Canada.

Although the *Analysis* provides essential information needed daily in many business offices, it should not be considered as supplanting exact provisions to be found in statutory texts.

The underlying data required to bring together this publication were supplied by legislative reporting services, insurance companies, and government officials in the several states and jurisdictions. Additional assistance came from the Social Security Administration, U.S. Department of Health and Human Services.

The legal research, analysis, and editing of the charts and text was furnished by Samuel A. Roth, Associate Manager, Employer Relations in the Business-Government Policy Department of the Chamber of Commerce of the United States. For further information, you can write to him at 1615 H Street, N.W., Washington, D.C. 20062 or phone (202) 463-5514.

All contributions to this publication are gratefully acknowledged.

Richard L. Lesher
President
Chamber of Commerce
of the United States

INTRODUCTION
HISTORY OF WORKERS' COMPENSATION AND EMPLOYER'S LIABILITY

Workers' compensation laws are designed to provide satisfactory means of handling occupational disabilities. A 20th century development in North America, the laws have evolved as the economy became more industrial and less agricultural.

Before these laws were enacted, a well-established common-law principle held that a master or employer was responsible for injury or death of employees *resulting from a negligent act by him*. Thus, disabled workers who sued employers for damages had to prove their injuries were due to employer negligence—a slow, costly, uncertain legal process. As business enterprise and machine production expanded, the number of industrial accidents and personal-injury suits increased. At the close of the 19th century it was apparent that the accepted common-law defenses—contributory negligence, assumption of risk, negligent acts of fellow servants—operated too harshly on claims of disabled workers. The situation led to demands for new legal provisions.

As a result, between 1900 and 1910 so-called employer's liability laws were adopted by many states. Although they tended to modify common-law defenses, they did not prove completely satisfactory; employees still had to prove employer responsibility and negligence. Other legal remedies were urged.

A new answer was forthcoming: In 1911 the first workers' compensation laws were enacted in the United States on an enduring basis. The first comprehensive Canadian laws were enacted in 1915.

Today, each of the 50 states has a workers' compensation law. The compensation laws of American Samoa, Guam, Puerto Rico, and the U.S. Virgin Islands are also outlined in this *Analysis*. Federal workers' compensations laws have been enacted; for example, the District of Columbia Workmen's Compensation Act, the Federal Employees' Compensation Act, and the Longshoremen's and Harbor Workers' Compensation Act—the latter providing for private or public employees in nationwide maritime work. Each of the Canadian provinces and territories has a compensation act or ordinance.

In essence, workers' compensation laws hold that industrial employers should assume costs of occupational disabilities without regard to any fault involved. Resulting economic losses are considered costs of production—chargeable, to the extent possible, as a price factor. The laws serve to relieve employers of liability from common-law suits involving negligence.

Six basic objectives underlie workers' compensation laws:

1—Provide sure, prompt, and reasonable income and medical benefits to work-accident victims, or income benefits to their dependents, regardless of fault;

2—Provide a single remedy and reduce court delays, costs, and workloads arising out of personal-injury litigation;

3—Relieve public and private charities of financial drains—incident to uncompensated industrial accidents;

4—Eliminate payment of fees to lawyers and witnesses as well as time-consuming trials and appeals;

5—Encourage maximum employer interest in safety and rehabilitation through an appropriate experience-rating mechanism; and

6—Promote frank study of causes of accidents (rather than concealment of fault)—reducing preventable accidents and human suffering.

To what extent have the laws achieved desired objectives? Answers to this vary from state to state and depend on many factors including the viewpoint of the appraiser.

However, a 1972 evaluation by the National Commission on State Workmen's Compensation Laws concluded that state laws were not living up to their potential, and the Commission made 84 recommendations for the improvement of the system. Nineteen of these were labeled "essential." Despite this negative assessment, the Commission was convinced that workers' compensation is a fundamentally sound system and a valued institution in our industrial economy.

In January 1976, the policy group of the Inter-Agency Workers' Compensation Task Force, with members from several U.S. government departments and agencies, reported its findings on the need for reform of state workers' compensation programs. Essentially, the Task Force found that existing programs must be reformed to bring about more effective management at the state level, with the federal government monitoring progress and providing technical assistance. The group felt that, without a reordering of priorities and a new mode of operation, workers' compensation would become more expensive, less equitable, and less effective. After completing its mission, the Task Force was merged with the Division of State Workers' Compensation Standards in the Office of Workers' Compensation Programs, Department of Labor.

The constructive criticism rendered by the Commission and the Task Force gave new impetus to the development and growth of workers' compensation laws, and these laws now enjoy a more prominent role within the social insurance system of the United States.

The National Commission and the Task Force both rejected proposals to replace the various state programs with one federal program. Nevertheless, legislation has been introduced in the U.S. Congress for the past several years to give the federal government a direct role in the state systems by setting federally mandated "minimum standards." There has never been sufficient support for these bills to move them beyond the committee level, however.

INTRODUCTION
GENERAL INFORMATION

This analysis of workers' compensation laws attempts to provide a ready reference to the statutory provisions found in the federal, state, and territorial laws of the United States and the federal, provincial, and territorial laws of Canada. American Samoa, the District of Columbia, Guam, Puerto Rico, and the U.S. Virgin Islands are included.

In the following pages, 16 charts will be found grouped under three categories:

- *Coverage of Laws*, listing the various requirements pertaining to employments, injuries, and diseases (Part I);
- *Benefits Provided*, detailing the required income replacement benefits and medical benefits (Part II);
- *Administration of Laws*, grouping the many administrative requirements and safeguards (Part III).

COMMENTS ON CHARTS

Complete to December 31, 1984, the charts on the following pages present the statutory provisions of the workers' compensation laws as amended. The effects of many decisions—by courts and administrative agencies—have been taken into account in interpreting these laws.

All provisions presented by the charts in this booklet have required study and interpretation to reduce them to the brief statements found in the charts. In some cases space does not permit sufficient explanation to clarify all points. In such cases it is suggested that the text of the law should be examined.

For an explanation of the abbreviations used in the charts and a note on benefit computations, see page 46.

FEDERAL AND DISTRICT OF COLUMBIA LAWS

Two federal workers' compensation laws are charted. The Federal Employees' Compensation Act (F.E.C.A.) governs compensation of all employees of the United States government. The Longshoremen's and Harbor Workers' Compensation Act provides job disability benefits for all U.S. maritime employment and certain others. Courts have held that the Longshore Act does not apply to maritime employment in Puerto Rico, however.

Entries for the District of Columbia are derived from the District of Columbia Workers' Compensation Act, a D.C. enactment replacing the Longshore Act, effective July 26, 1982. D.C. government employees are covered by a separate D.C. enactment that replaces the F.E.C.A. The law for D.C. government workers is not charted except where it differs materially from the F.E.C.A.

The charts do not cover the federal Black Lung Act, the disability provisions of the Social Security program, the Federal Employer's Liability Act (Jones Act), or veterans' benefits.

CANADIAN LAWS

This booklet includes an analysis of the Canadian federal and provincial workers' compensation acts. Each province and territory administers its own act or ordinance. The federal Merchant Seamen's Compensation Act is charted, also.

Employees of the Canadian federal government are compensated under the Government Employees' Compensation Act, administered by Labour Canada. Compensation is paid by the Canadian government, but the amount is determined by the workers' compensation board for the province where the worker is usually employed. Government employees residing in the Northwest Territories or the Yukon Territory may receive compensation in accordance with the Alberta Act. In view of this arrangement, the charts do not include the Government Employees' Compensation Act except where it differs materially from the provincial acts.

ANNUAL COST

Reporting in *Social Security Bulletin*, the U.S. Department of Health and Human Services estimated that employers spent just over $22.5 billion in 1982 to insure or self-insure their work-injury risks. This was almost $.4 billion, or 1.9 percent, lower than the 1981 cost of workers' compensation. This is the first decrease since 1949. The prior year, the increase in cost was 2.9 percent. The average cost per $100 of payroll was $1.72 for 1982, compared with $1.84 for 1981.

The 1982 decrease can largely be attributed to lower inflation, since there has been a continued rise in statutory benefit amounts, amounts payable for medical care, and indemnity awards. Medical costs totaled $4.8 billion in 1982 while compensation payments amounted to $11.3 billion—about 70 percent of all workers' compensation payments, which totaled $16.1 billion. Figures for 1983 were not available at the time of publication.

HIGHLIGHTS OF 1984

The United States Congress and legislatures in forty-nine states convened in general session in 1984. In all, more than 160 laws were enacted covering almost every aspect of workers' compensation.

Benefits: Indemnity benefit maximums increased in 44 states as well as under the Longshore Act and the F.E.C.A. Forty-one states and the District of Columbia now provide for the automatic adjustment of maximums annually, based upon the state average weekly wage. Alabama raised the percentage of average wages used to compute the maximum and eliminated the time limit for temporary total disability benefits.

Illinois, after a legal challenge, resolved to limit permanent partial disability benefits through June 1987. Thereafter, the maximum will be increased by the percentage increase in the state average weekly wage.

Funeral allowances were raised in five states and five Canadian jurisdictions.

Occupational Disease: Two states extended statutes of limitations or expanded coverage for claims based on occupational disease resulting from exposure to asbestos, or for other long latency illnesses. The U.S. Congress again took no action following hearings on legislation that would remove occupational disease from state workers' compensation and established a federal disease compensation system.

Federal Legislation: Legislation to establish a uniform federal product liability law cleared a Senate committee but was not put to a vote. The bill would have abolished the employer's right to recover workers' compensation costs in case of a product-related injury.

Congress enacted the first comprehensive amendments since 1972 of the Longshoremen's and Harbor Workers' Compensation Act, including a death benefit maximum, broad coverage changes (to extent not covered by state law), and a cap on cost-of-living adjustments for claimants receiving benefits.

Superfund legislation eroding employer tort immunity in case of injury caused by toxic exposure cleared House subcommittee, but was rectified by full committee before entire injury compensation title was deleted on House floor.

Finally, the Department of Treasury tax simplification proposal called for taxation of workers' compensation benefits.

NEXT EDITION OF THE ANALYSIS OF WORKERS' COMPENSATION LAWS

Forty-nine state legislatures and Congress convene in 1985. Undoubtedly, there will be numerous changes in many workers' compensation laws. A complete revision of this volume is printed annually. The 1986 edition will be available in March 1986. It will reflect changes made in workers' compensation laws up to January 1, 1986.

PART 1
COVERAGE OF LAWS

A basic and oft-repeated objective of workers' compensation on which there is broad agreement is that coverage under the acts should be virtually, if not completely, universal. For various historical, political, economic, or administrative reasons no state law covers all forms of employment.

In 1982 the proportion of all wage and salary employees covered by job-injury laws was 87.5 percent representing 77.8 million workers. Covered payrolls amounted to approximately $1.31 trillion, or 86 percent of total civilian wage and salary disbursements. Charts I through III delineate the statutory employment coverage requirements.

Another basic objective for workers' compensation is to provide compensation for all work-related injuries and diseases. Note that workers' compensation does not seek to cover all worker health problems. To make this distinction, fairly uniform statutory definitions and tests have been adopted in each state. Typically the statute limits compensation benefits to "personal injury caused by accidents arising out of and in the course of employment."

Although the test is fairly uniform, its interpretation has not resulted in completely uniform coverage of injuries and diseases. Initially, this problem was remedied by providing coverage for specific occupational diseases. With advances in medical technology and increased exposures to a growing number of substances with a variety of physical stresses, it became impractical to define work-related diseases by specific enumeration. The states have therefore amended their statutes to provide coverage of all occupational diseases. Chart IV portrays the status of the laws on this point.

TYPE OF LAW: CHART I

Compensation laws are compulsory or elective. Under an elective law, the employer may accept or reject the act, but if he rejects it he loses the three common-law defenses—assumption of risk, negligence of fellow employees, and contributory negligence. Practically, this means that all the laws, in effect, are "compulsory." A compulsory law requires each employer within its scope to accept its provisions and provide for benefits specified. Coverage is still elective in only three states: South Carolina, New Jersey, and Texas.

Suits for Damages—Under workers' compensation acts employers generally are exempted from damage suits. Where an employee rejects the act, and sues an employer who has accepted it, the employer usually retains the three common-law defenses. Conditions for rejection of the act often are so severe as to make the privilege virtually inoperative. In a few states, however, courts have created exceptions to the exclusive remedy rule under certain circumstances.

INSURANCE REQUIREMENTS: CHART I

Security for Payment of Benefits—Most jurisdictions require employers to obtain insurance or prove financial ability to carry their own risk.

Chart I notes provisions relating to (1) insurance requirements, (2) penalties for failure to insure, and (3) whether self-insurance or group self-insurance is permitted.

Six states and most provinces require employers to insure in a monopolistic state or provincial fund; in some instances, employers may qualify as self-insurers. Twelve states permit employers to purchase insurance either from a competitive state fund or private insurance company. Five of the six monopolistic state funds were created between 1913 and 1915, when the principles of workers' compensation were still new. In 1982 state funds collected $3.2 billion in premiums.

The Chamber of Commerce of the United States advocates that employers be permitted to buy private insurance if they so desire and that employers who can qualify be allowed to be self-insurers. Chamber policy states:

"Insurance is an integral part of private enterprise. Insurance should not be regarded as a function to be carried on by the government, and insurance monopolies carried on by governmentally created entities should not be permitted."

Self-Insurers—Some large corporations prefer to assume liability for workers' compensation and avoid administrative costs associated with insurance policies. Twenty-two states and the Longshore Act authorize group self-insurance for smaller employers who pool their risks and liabilities. Employers spent just under $3.0 billion in 1982 on self-insurance.

Self-insurance operates best when an employer has a spread of risks so large that he may benefit from the law of large numbers. It is necessary and desirable that the self-insurer establish his own protective services—similar to those insurance companies would furnish for safety engineering and claims adjustment. Also, the self-insurer may have to retain attorneys and doctors to handle problems incident to claims and medical and legal services.

Self-insurance is permitted in 47 states—as shown in Chart I. Chart I also reflects those states that specifically authorize group self-insurance.

Employers may set up a reserve fund for self-insurance to pay compensation and other benefits under the workers' compensation acts of the states. Contrary to the treatment accorded insurance premiums, amounts paid into this reserve fund are not always deductible from gross income as a business expense for income tax purposes. However, amounts paid out—as cash or medical benefits—are deductible. In many cases insurance is purchased because such purchase can dispose of the item of expense and future cost in the current year.

PRIVATE AND PUBLIC EMPLOYMENTS: CHART II

Virtually all industrial employment is covered by workers' compensation. Chart II shows this in detail; also it indicates the extent of coverage for public employment.

Some jurisdictions cover all private employment; others exempt those with less than a stipulated number of employees. Most jurisdictions specifically exclude certain employments. Due to the nature of the work, farm labor, domestic servants, and casual employees usually are exempted. Most jurisdictions permit employees in an exempted class to be brought in voluntarily by the employer or by administrative agency order.

Many jurisdictions provide workers' compensation for all or certain classes of public employees.

Merchant marine and railroad workers in interstate commerce generally are not covered by workers' compensation acts and may seek damages under the Federal Employer's Liability Act.

MINORS: CHART III

Minors are covered by workers' compensation. Some jurisdictions provide double compensation or added penalties—as shown in Chart III. In many states minors also enjoy special legal protections. These are specifically noted for each state.

OCCUPATIONAL DISEASES: CHART IV

Although workers' compensation laws initially had no specific provisions for occupational diseases, now all states recognize responsibility for them. Coverage extends to all diseases arising out of and in the course of emloyment. Most states do not provide compensation for a disease that is an "ordinary disease of life" or which is not "peculiar to or characteristic of" the employee's occupation.

Chart IV outlines provisions governing occupational disease in each jurisdiction. Generally, compensation is the same as for trau-

matic injuries (see Part II). Medical care is unlimited. A few states that do not provide permanent partial disability benefits for certain diseases are charted under the heading "Compensation."

Occupational diseases usually become evident during employment or soon after exposure. However, as with radiation disabilities, certain diseases may be latent for considerable time. As Chart IV notes, most states have extended periods in which claims may be filed concerning latent, slowly developing occupational diseases.

Some states impose special restrictions regarding disability resulting from exposure to coal dust, asbestos, silica, or radiation. A number of states have established presumptions for police and firefighters who have heart attacks or respiratory conditions, but no attempt is made to chart them.

OCCUPATIONAL HEARING LOSS: CHART V

The difficulty of distinguishing between work-related permanent hearing loss and loss of hearing caused by nonoccupational factors has resulted in enactment of special provisions in certain states, as shown in Chart V. Entries include the threshold for compensable loss of hearing, minimum exposure requirements, and deductions for loss caused by aging (presbycusis).

OTHER CONSIDERATIONS

A. Accident Prevention—The encouragement of safety is another basic objective of workers' compensation. The effort to reduce the frequency and severity of work-related injuries is accomplished in at least two ways.

First, the workers' compensation program provides employers with preventive services, including safety engineering. This role is assumed by casualty insurance carriers, state funds and safety agencies, and employers. A second general role is to provide a monetary incentive to employers to improve their safety records. Here the insurance premium structure is a primary force.

Costs of accident-prevention services are included in workers' compensation insurance premiums. Casualty insurance engineers help in setting up accident-prevention programs of continuing benefit. Benefits are found in lower insurance rates, increased production efficiency, and better use of manpower. Of course, the greatest beneficiaries are those kept from industrial accidents through application of effective loss-prevention engineering methods.

B. National Council on Compensation Insurance—Premium rates for workers' compensation insurance are compiled scientifically. Accident experience throughout American business is collected by an agency recognized by all insurance carriers and state fund administrators in the U.S. This agency—the National Council on Compensation Insurance—operates in most states. It grew out of a 1915 conference which agreed that rate making for compensation insurance could not be handled by each state separately. The states that maintain independent agencies cooperate with the Council in making rates. The Council's manual rates generally are a basis for compensation rates charged by stock and mutual companies.

Member companies of the Council report experience incurred under workers' compensation policies. This experience serves as a basis for workers' compensation rate determinations in accord with a standard nationwide rate-making procedure approved by the National Association of Insurance Commissioners.

The National Council's basic manual is standard with all insurance companies. It sets forth Council rules, procedures, and rates applicable to workers' compensation insurance. Where statutes provide for rate regulation by a state supervising authority, revised compensation rates and supporting data are filed annually with it; often, public hearings are held before rates are revised. The supervising authority must approve the rates carriers charge. All states now provide for rate regulation by state authority. In Canada rates are in the form of an assessment—established by each provincial compensation board annually by class of risk.

As set forth in the Council's manual, compensation rates are based on payroll. Usually only an estimated premium is collected when the policy is written. After the policy expires, a payroll audit is required. The actual premium is then figured and adjustments made.

C. Injuries Outside the Jurisdiction—Frequently, when a worker's occupation takes him into another jurisdiction, questions arise as to which law determines compensation payable. In effect, most compensation laws are extraterritorial—either by specific provisions or court decision. Answers depend on provisions of the particular laws involved and require consideration of circumstances—such as place and nature of employment, place where contract was made, employee's residence, and employer's place of business.

D. Civil Defense and Other Volunteers—Many states have laws to compensate civil defense and other volunteer workers (such as firemen) injured in line of duty. Attention is called to these laws, but no attempt is made to chart their provisions.

E. Black Lung Act—The Federal Black Lung Act (Title IV of the federal Coal Mine Health and Safety Act of 1969, as amended in 1972, 1978, and 1981) provides benefits for total disability or death caused by respiratory illness attributable to coal mining (black lung disease). The Act is administered by the Division of Coal Mine Workers in the U.S. Department of Labor's Office of Workmen's Compensation Programs and by the Social Security Administration.

Effective January 1, 1985, monthly benefits range from $317.10 to $634.20, computed at 137½ percent of the minimum monthly pay for federal employees, plus an allowance for dependents equal to 50%, 75%, or 100% of the basic benefit, for 1, 2, or 3 or more dependents, respectively. Beneficiaries also receive an annual cost-of-living increase.

A total of $10 billion in black lung payments have been made to 500,000 claimants from 1969 through 1980.

A Black Lung Disability Trust Fund, financed by an excise tax on coal production, was set up by the 1978 amendments to pay claims where the last employment was prior to 1970 or where no responsible coal mine operator has been identified. The fund was in deficit by $2.5 billion as of December 31, 1984, despite 1981 amendments that doubled the coal tax and revised eligibility criteria in an effort to make the fund solvent.

F. Social Security Disability—The federal Social Security Disability program pays benefits on behalf of disabled workers under age 65 whose disability is expected to last 12 months or result in death. A worker becomes eligible after a minimum period of employment covered by Social Security, measured in calendar quarters. There is a 5-month waiting period.

Cash benefits are payable monthly based on wages in covered employment, plus allowances for spouse and children. Effective January 1, 1985, the maximum is $909.00 for an individual, family maximum $1,363.65. Cost-of-living increases are payable effective each June.

Benefits are paid out of the Disability Trust Fund, financed from the federal Social Security tax.

Combined Social Security Disability and workers' compensation benefits may not exceed 80 percent of "average current earnings" prior to disability. The Omnibus Budget Reconciliation Act of 1981 requires that Social Security disability benefits supplement workers' compensation unless state law provided for a reverse offset on or before February 18, 1981.

CHART I TYPE OF LAW AND INSURANCE REQUIREMENTS January 1, 1985

JURISDICTION	TYPE OF LAW	INSURANCE	SELF-INSURANCE	PENALTIES ON FAILURE TO INSURE
ALABAMA	Compulsory	Required	Individual and group	Fine of not less than $25 nor more than $1,000. Employer may be enjoined from doing business and liable to suit with defenses abrogated and double amount of compensation.
ALASKA	Compulsory	Required	Permitted	Class B or C felony (up to 10 years' imprisonment, $50,000 fine, or both). Board may enjoin use of labor. Employer liable to suit with defenses abrogated, and employer negligence presumed proximate cause of injury. Individuals in charge of corporation personally liable for compensation.
AMERICAN SAMOA	Compulsory	Required	Permitted	Misdemeanor; fine up to $1,000 or imprisonment up to 1 year, or both. Employer liable to suit with defenses abrogated.
ARIZONA	Compulsory	Required	Permitted	Employer liable to suit with defenses abrogated; 10% penalty of award, expenses, and attorney's fees; award paid from Special Fund; injunction against doing business in state.
ARKANSAS	Compulsory	Required	Individual and group	$500 fine or 1 year imprisonment, or both; employer liable to suit with defenses abrogated.
CALIFORNIA	Compulsory	Required	Permitted	Employer may be enjoined from doing business. Mandatory penalty upon issuance of stop order is $100 per employee, raised to $500 per employee if case is compensable (maximum $10,000). Failure to obey stop order is misdemeanor; penalty is fine up to $1,000, imprisonment up to 60 days, or both. $50 penalty for failure to respond to Director's inquiry. Penalties are paid into Uninsured Employers Fund and constitute lien on employer's assets. Employee may sue for damages with employer's defenses abrogated *and* file for compensation. Intentional failure to insure is misdemeanor.
COLORADO	Compulsory	Required	Permitted	Compensation increased 50% or employer liable to suit with defenses abrogated (at option of employee). Employer may also be enjoined from doing business.
CONNECTICUT	Compulsory	Required	Permitted	Willful failure to insure—fine up to $1,000, payable into Second Injury Fund.
DELAWARE	Compulsory	Required	Individual and group	Fine of 10 cents per day per employee (maximum $50, minimum $1 per day); if default continues for 30 days employer may be enjoined from doing business. Employer liable to suit with defenses abrogated.
DISTRICT OF COLUMBIA	Compulsory	Required	Permitted	Fine of not more than $1,000 or 1 year imprisonment or both.
FLORIDA	Compulsory	Required	Individual and group	Fine of not more than $500 or not more than 1 year imprisonment, or both; employer liable to suit with defenses abrogated, and may be enjoined from doing business.
GEORGIA	Compulsory	Required	Individual and group	Misdemeanor. Compensation may be increased 10% plus attorney's fees. Penalty up to $50 per day.
GUAM	Compulsory	Required	Not permitted	Misdemeanor—fine up to $1,000, imprisonment up to 1 year, or both. Employer liable to suit with defenses abrogated and must reimburse fund for compensation payable. Corporate officers are personally liable for compensation.
HAWAII	Compulsory	Required	Permitted	$25 or $1 per employee per day during default, whichever is greater. Injunction against business in the state.
IDAHO	Compulsory	Required	Permitted	Misdemeanor. Employer also liable to penalty of $1 per day per employee, and may be enjoined from doing business after 30 days default. For default in premiums to state fund, penalty is $1 per day per employee, and policy may be canceled after 30 days default.
ILLINOIS	Compulsory	Required	Individual and group	Fine of $100 to $500 for each day's default.
INDIANA	Compulsory	Required	Permitted*	Class A infraction—maximum fine $10,000. Uninsured employer may be liable for medical and legal expenses plus double compensation and may be enjoined from doing business.
IOWA	Compulsory	Required	Individual and group	Employer liable to suit with defenses abrogated and presumption of negligence of employer. In coal mining, employer is liable to penalty of $10 to $100 per day and may be enjoined from further noncompliance.
KANSAS	Compulsory	Required	Individual and group	Employer liable to suit with defenses abrogated.
KENTUCKY	Compulsory	Required	Individual and group	Failure to secure payment of compensation—claimant may claim compensation and bring action at law or in admiralty, with employer's common law defenses abrogated. Employer may be enjoined from doing business.
LOUISIANA	Compulsory	Required	Individual and group	12% penalty and reasonable attorney's fees for collection of claim.
MAINE	Compulsory	Required	Individual and group	Class D crime. Employer liable to suit with defenses abrogated.
MARYLAND	Compulsory	Required	Permitted*	Fine of $500 to $5,000 and/or imprisonment for not more than 1 year. Additional penalty for failure to comply with Commission's orders amounting to 6 months insurance premiums. Employer also liable to suit with defenses abrogated. Other insurers assessed to pay unpaid claims of insolvent insurer. Fine of $150 and 15% penalty on award payable to Uninsured Employers Fund.
MASSACHUSETTS	Compulsory	Required	Permitted	Fine of not more than $500 or imprisonment for not more than 1 year, or both; employer liable to suit with defenses abrogated.
MICHIGAN	Compulsory	Required	Individual and group	Fine of $10 to $100 or imprisonment for 30 days to 6 months, or both.
MINNESOTA	Compulsory	Required	Individual and group	Penalty $100 if under 5 employees, otherwise $400.* Additional penalty 5 times last premiums for continued noncompliance. Employer may be enjoined from further employment. Employer must reimburse compensation paid plus 50% penalty. Intentional noncompliance is gross misdemeanor. Employer liable to suit with some defenses abrogated.
MISSISSIPPI	Compulsory	Required	Permitted	Fine up to $1,000 or one year imprisonment or both. Employer also liable to suit with defenses abrogated.
MISSOURI	Compulsory	Required*	Individual and group	Employer liable to suit with defenses abrogated. Worker may receive compensation out of Second Injury Fund and employer is liable for amounts paid plus fine of $100 per day of noncompliance after date of injury (up to $5,000).
MONTANA	Compulsory	Required	Permitted	Division must enjoin employer from doing business. Double amount of unpaid premiums assessed as penalty (minimum $200). Employer liable for compensation payable, up to $30,000. Penalties payable into Uninsured Employers' Fund.
NEBRASKA	Compulsory	Required	Permitted	Employer liable to suit with defenses abrogated; $1,000 fine maximum, 1 year imprisonment, or both; may be enjoined from doing business.
NEVADA	Compulsory	Required in state fund	Individual	Employer liable to suit with defenses abrogated and may be enjoined from doing business; misdemeanor punishable by a fine up to $500 per offense.
NEW HAMPSHIRE	Compulsory	Required	Individual and group	Penalty of $500, plus $100 per employee per day. Employer may be enjoined from doing business and injured worker may sue for damages.
NEW JERSEY	Elective	Required*	Permitted**	Employer liable to suit with defenses abrogated. Misdemeanor, punishable by a fine of not more than $1,000 or not more than 60 days imprisonment or both; plus $25 for each 10-day period but not more than $100 at any one time. Also assessment of $150 plus 15% of award up to $1,500 payable to Uninsured Employers Fund.
NEW MEXICO	Compulsory	Required	Permitted	Fine of not more than $1,000. Employer may be enjoined from doing business.
NEW YORK	Compulsory	Required	Individual and group	Fine of $100 to $500 or imprisonment for not more than 1 year, or both, with graduated fines to $2,500 for repeated failures. Employer liable to suit with certain special defenses abrogated. Additional fine of $200 if uninsured for less than 10 days.*
NORTH CAROLINA	Compulsory	Required	Individual and group	Misdemeanor, punishable by fine of 10¢ per day per employee (maximum $50.00, minimum $1 per day), imprisonment, or both. Employer liable to suit with common law defenses abrogated.

Ind. *Except as to state and political subdivisions, banks, trust companies, and savings and loan associations.

Md. *Eligibility for group self-insurance is limited to counties and municipalities.

Minn. *$500 and $2,000, respectively, for deliberate failure to insure.

Mo. *Employer engaged in mining must insure only to the extent of maximum liability for 10 deaths in any one accident.

N.J. *Unless employer rejects. Employer of farm worker not required to insure.

**Group self-insurance authorized for hospitals and local government units.

N.Y. *Corporate officer who failed to obtain insurance ineligible for benefits out of Uninsured Employers Fund (for himself, surviving spouse, or dependents).

CHART I ☐ TYPE OF LAW AND INSURANCE REQUIREMENTS ☐ January 1, 1985 (continued)

JURISDICTION	TYPE OF LAW	INSURANCE	SELF-INSURANCE	PENALTIES ON FAILURE TO INSURE
NORTH DAKOTA	Compulsory	Required in state fund	Not permitted	Misdemeanor punishable by $500 fine, 1 year imprisonment, or both. Uninsured employer liable for damage or injuries or death and cannot avail himself of common law defense. Employer may be enjoined from employing uninsured workers.
OHIO	Compulsory	Required in state fund	Permitted	Minor misdemeanor—fine up to $100; if willful, second degree misdemeanor—fine up to $750, imprisonment up to 90 days, or both. Employer may be enjoined from doing business. Employer is also liable to suit with defenses abrogated.
OKLAHOMA	Compulsory	Required	Individual and group*	Penalty of $1 per day per employee. Employer liable to suit with defenses abrogated.
OREGON	Compulsory	Required	Individual and group	Employer is liable to suit with defenses abrogated. Enjoined from hiring workers. Fine up to $1,000 plus up to $25 per day administrative costs and legal fees, and fines up to $5,000 based on type of injury.
PENNSYLVANIA	Compulsory	Required	Permitted	Fine of $500 to $2,000 per day or not more than 1 year imprisonment, or both. Employer liable to suit with defenses abrogated.
PUERTO RICO	Compulsory	Required in territorial fund	Not permitted	Misdemeanor, fine of $25 to $1,000, or imprisonment for not more than 6 months or both. Employer liable to suit with defenses abrogated. Penalty 30% of compensation (minimum $10.00).
RHODE ISLAND	Compulsory	Required	Individual and group	Fine of not more than $100; employer liable to suit with defenses abrogated.
SOUTH CAROLINA	Elective	Required*	Individual and group	If employer does not reject and fails to insure, fine of 10 cents per day per employee (maximum $50, minimum $1 per day); if default continues for 30 days employer may be enjoined from doing business. Employer liable to suit with defenses abrogated. Willful failure to insure is misdemeanor punishable by fine of $100 to $1,000 or imprisonment of 30 days to 6 months or both.
SOUTH DAKOTA	Compulsory	Required	Individual and group	Employer liable to suit for damages or double compensation and medical care as benefits.
TENNESSEE	Compulsory	Required	Individual and group	Fine of $10 to $100 and after conviction, fine of $1 for each day of noncompliance. Employer also liable to suit with defenses abrogated.
TEXAS	Elective	Required*	Not permitted**	Employer liable to suit with defenses abrogated. Motor bus certificate may be revoked on failure to insure.
UTAH	Compulsory	Required	Permitted	Fine of $10 to $100 or imprisonment of 30 days to 6 months or both. Employer also liable to suit with defenses abrogated. Also, costs and attorney's fees in civil suit.
VERMONT	Compulsory	Required	Permitted	Failure to provide security within 30 days after notice by Commissioner—fine up to $100 per day.
VIRGIN ISLANDS	Compulsory	Required in territorial fund	Not permitted	Employer liable for compensation and expenses plus penalty equal to 30% of compensation and expenses. Employer liable to suit with defenses abrogated. Fine up to $500 or imprisonment up to 6 months, or both. Interest on premiums in default. Employer may be enjoined from doing business.
VIRGINIA	Compulsory	Required	Individual and group	Fine $50 per day per employee (maximum $1,000, minimum $50 per day). Employer liable to suit with defenses abrogated and may be enjoined from doing business. Intentionally uninsured employer commits class 2 misdemeanor.
WASHINGTON	Compulsory	Required in state fund	Permitted*	Employer may be enjoined from doing business. Willful failure is misdemeanor—fine is $25 to $100 daily; 50% to 100% of claim cost, plus $200 or twice the unpaid premium (whichever is greater); 25% of premiums in default; employer may have to furnish double bond.
WEST VIRGINIA	Compulsory	Required in state fund	Permitted	Employer liable to suit with defenses abrogated; all past premiums plus interest, reimbursement to state fund for claims paid on his behalf for failure to subscribe; may be enjoined from doing business in state.
WISCONSIN	Compulsory	Required	Permitted	Fine of $10 to $100 or imprisonment from 30 days to 6 months, or both. Each day is a separate offense. Employer may be restrained from employing any person pending compliance.
WYOMING	Compulsory	Required in state fund*	Not permitted	Fine of not more than $500, plus 10% of premiums due. Employer may also be enjoined from doing business. Employer liable to suit with defenses abrogated.
F.E.C.A.	Compulsory	Federal appropriation		
LONGSHORE ACT	Compulsory	Required	Individual and group	Fine of not more than $1,000 or 1 year in prison or both for failure to secure payment of compensation.
ALBERTA	Compulsory	Required in provincial fund	Not permitted	Failure to furnish required security—Board may order employer to cease employment; violation—fine up to $200 daily. Failure to submit statement of wages—up to 15% assessment plus penalty up to half of compensation payable, maximum $500; violation of judgment—injunction against operating. Failure to pay assessment—up to 8% penalty; employer's goods may be seized.
BRITISH COLUMBIA	Compulsory	Required in provincial fund*	Not permitted	Failure to submit statement of wages—compensation payable plus percentage of assessment set by Board. Failure to pay assessment—unpaid amount plus costs of collection and percentage penalty, compensation payable, and employer may be enjoined from operating.
MANITOBA	Compulsory	Required in provincial fund	Not permitted	Failure to submit statement of wages—maximum fine $500. Failure to submit payroll return statement—employer liable for half of compensation payable (minimum $50). Failure to pay assessment—penalty of 5% of amount in default for first month and 1% for each succeeding month.
NEW BRUNSWICK	Compulsory	Required in provincial fund*	Not permitted	Failure to submit statement of wages—maximum penalty $500 plus percentage fixed by Board. Failure to pay assessment—employer liable for compensation payable plus percentage penalty and costs of collection.
NEWFOUNDLAND	Compulsory	Required in provincial fund	Not permitted	Failure to submit statement of wages—maximum penalty $1,000. Failure to pay assessment—assessment plus costs of collection, percentage penalty. Employer may be enjoined from operating.
NORTHWEST TERRITORIES	Compulsory	Required in territorial fund	Not permitted	Failure to submit statement of wages or to pay assessment—employer liable for compensation payable and assessment, plus percentage of assessment as penalty established by Board or regulations.
NOVA SCOTIA	Compulsory	Required in provincial fund	Not permitted	Employer liable for compensation payable. Failure to submit statement of wages—employer liable for unpaid amount and costs of collection plus 5% penalty; 1% penalty for each month in default; $50 if annual statement. Failure to pay assessment: -2% penalty plus 1% for each month in default and employer may be enjoined from operating.
ONTARIO	Compulsory	Required in provincial fund	Not permitted	Failure to submit statement of wages upon commencing operations and at other required times—penalty plus liability for additional percentage of assessment and costs of claim at discretion of board.
PRINCE EDWARD ISLAND	Compulsory	Required in provincial fund	Not permitted	Failure to report payroll or pay assessment—penalty of $100 per week of default plus 2% of amount unpaid after 1 month and 1% for each additional month. Failure to pay assessment—employer may be enjoined from operating.
QUEBEC	Compulsory	Required in provincial fund	Not permitted	Failure to submit statement of wages upon commencing operations or at other required times—maximum fine $500. Failure to pay assessment, employer liable for percentage penalty to be established by Board and also a fine of not over $100 per day.
SASKATCHEWAN	Compulsory	Required in provincial fund	Not permitted	Failure to submit statements of wages upon commencing operations or at other required times—maximum fine $500. Failure to pay assessment, employer liable for percentage penalty to be established by Board and may be enjoined from operating.
YUKON TERRITORY	Compulsory	Required in territorial fund	Not permitted	Failure to submit statement of wages—maximum fine $500 plus percentage of assessment. Failure to pay assessment—percentage penalty, and employer may be enjoined from operating.
CANADIAN MERCHANT SEAMEN'S ACT	Compulsory	Required	At discretion of Board	Failure to insure or cover by other means satisfactory to the Board may cause ship to be detained by Customs.

Okla. *Attorney General has ruled statutory provision for group self-insurance is unconstitutional.

S.C. *Unless employer rejects.

Texas *If employer accepts.
**Except for state and political subdivisions.

Wash. *Group self-insurance permitted for school districts and hospitals.

Wyo. *Nonhazardous employments may also be insured with private carriers.

B.C. *Employer directly liable for compensation if injury was caused by employer's gross negligence or lack of an accident prevention program; maximum $24,417.80.

N.B. *Subject to approval of Lt.-Gov. in Council, Board may make arrangement for insurance or reinsurance.

CHART II — COVERAGE OF LAWS — January 1, 1985

JURISDICTION	EMPLOYMENTS COVERED[1]		EXCEPTIONS[2]	SPECIAL COVERAGE PROVISIONS[1]
	PRIVATE	PUBLIC		
ALABAMA	Compulsory as to employers of 3 or more. Elective as to partners or sole proprietors. Corporate officers may reject.	Compulsory as to all public employments except municipalities of less than 2,000 population. Certain school systems and institutions covered.*	Domestic servants and casual employees.	Voluntary for employers of less than 3, including farmers.**
ALASKA	Compulsory as to all employments, including elected or appointed corporate executive officers.	Compulsory as to state and political subdivisions, members of state boards, and commissions. Includes regular firemen if not prohibited by local law. Voluntary as to executive officers of municipal corporations.	Part-time baby sitters, cleaning persons, harvest help, etc.	Voluntary as to executive officers of a charitable, religious, educational, or other nonprofit corporation.
AMERICAN SAMOA	Compulsory as to employers of 3 or more; coverage may be required for all hazardous employments.	Compulsory as to all public employments.		Voluntary as to exempt employers.
ARIZONA	Compulsory as to employments. Employee may reject.	Compulsory as to state, counties, cities, towns, municipal corporations, school districts, and volunteers enumerated by statute.	Domestic servants, casual employees, and real estate licensees.	Voluntary as to employers of domestic servants. Motion picture business employers and employees may be exempted from law provided equal benefits are provided by insurance in domicile state.
ARKANSAS	Compulsory as to employers of 3 or more. Elective as to partners or sole proprietors.	Compulsory as to state agencies, departments, and institutions, and counties. Excludes workfare recipients and unincorporated cities and towns.	Farm labor, domestic servants, casual workers, public charities, vendors, or distributors of newspapers and other publications.	Voluntary as to excepted employments. Compulsory for building repair work, if contractor employs 2 or more employees at any one time. Compulsory for contractor who employs 1 or more and who subcontracts.
CALIFORNIA	Compulsory as to all employments, includes working member of partnership.	Compulsory as to all public employments except clerks and deputies serving without remuneration, and to regional occupational centers, programs or school districts offering training to pupils outside attendance area as to enrolled pupils.	Charity workers and volunteer member workers at camps, etc., operated by nonprofit organizations. Employers sponsoring bowling teams. Domestics who work less than 52 hours during preceding 90 days or earn less than $100. Students in sport events (excludes amateur athletic participants who are not employees).	Voluntary as to excepted employments and sponsoring agencies of Economic Opportunity Programs. Employer not liable for injury due to off-duty recreational, social, or athletic activity not part of work-related duties.
COLORADO	Compulsory as to all employments. Corporate officer who is 10% shareholder may reject. Elective as to active employer or partner.	Compulsory as to all salaried public employments. Job trainees deemed employees of training institution.	Employees of religious or charitable organizations, domestic servants and casual employees who earn less than $2,000 per year, volunteer ski lift operators.	All farm labor covered in 1977. Officers of farm corporation may reject coverage.
CONNECTICUT	Compulsory as to all employments. Corporate officer may reject. Elective as to sole proprietors or partners.	Compulsory as to all state, public corporations, and members of General Assembly. Municipalities may elect coverage of elected and appointed officials, police, and firemen.	Casual employees, outworkers,[3] domestics employed less than 26 hours weekly, officers of fraternal organizations paid less than $100 per year.	Voluntary as to excluded employments.
DELAWARE	Compulsory as to all employments. Up to 4 corporate officer-stockholders may reject. Elective as to sole proprietors or partners.	Elective as to state and certain counties, cities, and towns.	Domestic servants, casual employees earning less than $300 in 3 months from one household; farm labor.	
DISTRICT OF COLUMBIA	Compulsory as to all employments.	Separate act is compulsory for all public employments, except officers or employees of the United States, state, or foreign government, and uniformed D.C. police or firemen.	Farm labor, casual employees, master or crew of any vessel, and employees of common carrier by railroad in interstate commerce.	Act applies to employees principally localized in Washington, D.C. Domestic workers covered if employer employs 1 or more for 240 hours or more per quarter.
FLORIDA	Compulsory as to employers of 3 or more. Elective as to corporate officers, partners, and sole proprietors.	Compulsory as to state and political subdivisions (includes volunteers), except elected officials.	Domestic servants, casual employees, 12 or fewer casual or 5 or fewer regular farm labor, professional athletes, employees of common carriers, and volunteers (except for government entities).	Voluntary as to excepted employments. Excludes real estate salesmen, solely on commission. Numerical exemption inapplicable to employees of subcontractors.
GEORGIA	Compulsory as to all employers of 3 or more. Elective as to active partners or sole proprietors.	Compulsory as to state, county, municipal corporations, and political subdivisions including school districts. Voluntary as to planning commissions.	Farm labor, domestic servants, employees of common carriers by railroad, casual labor, and licensed real estate salesmen and brokers.	Voluntary as to excepted employments.
GUAM	Compulsory as to all industrial employments.*	Compulsory as to paid and voluntary work done for Government of Guam or any political subdivision except federal employees covered by P.L. 77-208 and elected officials.	Workers in interstate or foreign commerce covered by federal law, casual labor, and members of Board of Education.	All contracts of hire are presumed to include an agreement to cover injuries received outside the territory by accident arising out of and in the course of employment.
HAWAII	Compulsory as to all industrial employments.*	Compulsory as to all public officials, elective or appointed. Covers public board members.	Employees of religious, charitable, or nonprofit organizations. Domestics who earn less than $225 during each quarter in the preceding year. Unpaid 25% shareholders of corporation with no employees.	Voluntary as to employments not defined as industrial.
IDAHO	Compulsory as to all employments. Elective as to corporate officers who are 10% shareholders, sole proprietors, and working members of partnership.	Compulsory as to all public employments except officials at secondary school athletic contests.	Agricultural pursuits, domestic servants, casual labor, inbelling members of employer's family, outworkers,[3] employment not for money, airmen, and commission real estate salesmen and brokers.	Employees within state who work for employers domiciled in another state are covered. Credit is provided for benefits paid to employees under the law of other states.
ILLINOIS	Compulsory as to enumerated "extra hazardous" employments (including occupational diseases). Elective as to partners and sole proprietors.	Compulsory as to all public employments except members of fire and police departments in cities over 200,000 population (such firemen covered to extent of burn-related disfigurement).	Certain farm labor, domestics, and persons not in usual course of employer's business; real estate brokers and salesmen paid by commission only.	Voluntary as to excluded employments.* Corporate officers of small business may reject.
INDIANA	Compulsory as to all employments including corporate officers. Elective as to sole proprietors, or partners.	Compulsory as to state, municipal corporations, and political subdivisions; includes state legislators, and elected and appointed officials.	Farm labor, domestic servants, casual workers, and railroad workers.*	Compulsory as to coal mining and for students in cooperative education.
IOWA	Compulsory as to all employments but up to 4 corporate officers may reject.	Compulsory as to all public employments, except firemen and policemen entitled to pension fund. Covers highway safety patrol officers, conservation officers, and agricultural workers at state universities.	Domestic and casual workers earning under $200 per quarter, farm labor, if employer payroll under $2,500 per year, or any regular employee for less than 40 hours weekly during 13 weeks.	Voluntary as to excepted employments.
KANSAS	Compulsory as to all employments, including corporate executive officers. Elective as to partners, individuals, or self-employeds.	Compulsory as to all public employments. Members of firemen's relief associations may elect to accept or reject coverage.	Farm labor or any employer whose gross annual payroll is not more than $10,000.	Compulsory as to eleemosynary institutions. Voluntary as to excluded employments. Labor unions and associations may elect coverage for their members who perform services and are not full-time employees.

NOTE: State courts vary in decisions whether minimum of persons must be in state.

[1]Compensation laws are classified as compulsory or elective. A compulsory law requires every employer to accept the act and pay the compensation specified. An elective act is one in which the employer has the option of either accepting or rejecting the act, but if he rejects it he loses the customary common law defenses (risk assumed by employee, negligence of fellow servants, and contributory negligence). In most states workers in excepted or excluded employments may be brought under coverage of the act through voluntary action of the employer. In other states, such action of the employer must be concurred in by the employees.

[2]Applying to private employments only. The exceptions for public employments are given under "Employments Covered—Public."

[3]Outworker is person to whom articles are given for cleaning, repair, etc., at home.

Ala. *Employees of all county and city bds. of education, Ala. Inst. for Deaf and Blind, and 2-yr. colleges under state bd. of educ. control. Special act covers employees of U.S.S. Alabama Battleship Comm. and authorizes excess medical care benefits not to exceed $10,000 per employee; also, for employees of Department of Agriculture and Industries. Special act covers employees of Tannehill Furnace and Foundry Commission.

Guam *Employment in trade, occupation, or profession, carried on by employer for pecuniary gain.

Hawaii *Employment in trade, occupation, or profession, carried on by employer for pecuniary gain.

Ill. *The law is "elective" as to private employments of a nonhazardous nature, but it does not abrogate the employer's defenses if he does not accept the act, and thus is considered to be voluntary.

Ind. *Elective for officer of a charitable, religious, educational, or nonprofit corporation.

CHART II □ COVERAGE OF LAWS □ January 1, 1985 (continued)

JURISDICTION	EMPLOYMENTS COVERED[1]		EXCEPTIONS[2]	SPECIAL COVERAGE PROVISIONS[1]
	PRIVATE	PUBLIC		
KENTUCKY	Compulsory as to all employments, including corporate executives. Elective as to owner of business or partner. Worker may reject voluntarily prior to injury.	Compulsory as to state and political subdivisions, including elected and appointed state officials and employees of the General Assembly.	Domestic servants if employer employs fewer than 2 each regularly employed 40 hours a week; casual workers employed less than 20 consecutive days; agricultural labor; worker for charitable or religious organization in return for aid or sustenance; and participant in carpool to and from work.	Specifically covers newsboys and operators of coal mines. Voluntary as to excluded employments.
LOUISIANA	Compulsory as to all employments, including corporate executives. Corporate officers who are 10% shareholders and sole proprietors may reject.	Compulsory as to all public employments, except sheriffs' deputies and officials. Subdivisions may cover elective and appointive officials.	Crews of crop spraying aircraft while acting as contractors, or employees of persons principally engaged in agriculture; real estate brokers and salesmen; domestic workers.	Excludes officers of nonprofit charitable, fraternal, cultural, or religious corporations or associations.
MAINE	Compulsory as to all employments, including corporate executive officers. Corporate officers who are 20% shareholders may reject. Elective as to self-employed persons or partners.	Compulsory as to state, counties, cities, towns, and quasi-municipal corporations. Includes firemen and police and volunteer firemen and emergency medical services personnel.	Maritime employee in interstate or foreign commerce, or lobster sternman. Commission-paid real estate salesman or broker. Independent contractor. Employee harvesting 150 cords of wood from farm wood lot. Voluntary participant in employer-sponsored athletic event.	Voluntary as to excluded employments. Parent, spouse, or child of sole proprietor or partner may reject coverage. Common law defenses retained by certain employers with employer's liability insurance.*
MARYLAND	Compulsory as to all employments, including corporate officers. Elective as to partners or sole proprietors. Corporate farm officers who are 20% shareholders may reject.	Compulsory as to state, counties, cities, and their agencies; paid firemen in certain counties; prisoners working for county roads boards; forest wardens, crewmen and fire fighters for Department of Forest and Parks; jurors for non-federal courts.	Domestic workers who earn less than $250 in a quarter from a single household; certain maintenance workers, not employed for 30 consecutive days around a private home; seasonal, migratory farm labor within 25 miles of residence who work no more than 13 weeks a year; and commission-paid real estate salesman or broker.	Voluntary as to excluded employments. Officers of close corporation may reject. Small employers of farm labor may be insured under a group policy.
MASSACHUSETTS	Compulsory as to all employments.	Compulsory as to state; elective as to counties, cities, and districts having power of taxation. Municipalities required to indemnify police and firemen. Cities and towns may cover certain elected or appointed officials.	Seasonal and casual labor; domestic servants employed less than 16 hours a week; masters and seamen in interstate commerce covered by federal law; athletes whose contracts provide wages during job disability; and commission-paid real estate salesmen.	Voluntary as to domestic servants hired casually or on a seasonal basis.
MICHIGAN	Compulsory as to all employers of 3 or more, or less than 3 if 1 is employed for 35 hours per week for 13 weeks by same employer.*	Compulsory as to all public employments, including Michigan Conservation Corps members. Trainees in federally funded training program deemed employees of sponsoring public entity.	Professional athletes whose average weekly wage is more than 200% of statewide average weekly wage; domestic servants who work less than 35 hours a week for 13 weeks a year.	Voluntary as to employer of 2 or less, and domestic service. Family members may be excluded by endorsement.
MINNESOTA	Compulsory to all employments. Elective as to owners of business or farm and officers of certain family farms or close corporations and their families.	Compulsory as to all public employments, including elected and appointed state officers, and medical students and certain faculty at University of Minnesota. Elective for elected or appointed officers of political subdivisions.	Certain casual labor; household workers who earn under $500 per 3 months from one private household; family farms with annual farm labor payroll under $8,000; railroad workers covered by federal law; and nonprofit corporations with annual payroll under $500; commercial thresher or baler for family farm.*	Election must be in writing. Elective coverage for independent contractors.
MISSISSIPPI	Compulsory as to all employers of 5 or more. Corporate officers may reject.	Voluntary as to public employments. Specifically excludes handicapped in state sheltered workshop programs.	Domestic servants; farmers; farm labor; newspaper distributors; officers of nonprofit charitable, fraternal, cultural, or religious corporations or associations.	Voluntary as to exempted employers.
MISSOURI	Compulsory as to all employers of 5 or more.* Elective for partners and sole proprietors.	Compulsory as to all public employments, including elected and appointed state officials; contractors of a public corporation; state militia; and sheriffs and deputy sheriffs. Compulsory for workers on state welfare projects under federal Economic Opportunity Act.	Farm labor, domestic servants, occasional labor for private household and qualified real estate agents.	Voluntary as to exempt employments, employers of less than 5 employees, and salaried officers of Missouri farm corporations.
MONTANA	Compulsory as to all employments. Corporate officers may reject. Elective as to partners and sole proprietors.	Compulsory as to all public employments, including public contractors.	Domestic and casual employment, family members, employers covered by federal law, and person performing services for aid and sustenance only.	Coverage is mandatory for partner or sole proprietor who is independent contractor (except real estate or farm services), but may apply for personal exemption. Voluntary as to exempt employments.
NEBRASKA	Compulsory as to all employments. Corporate officers who are 25% shareholders may reject. Elective as to proprietors, partners or self-employed.	Compulsory as to all employments, including officials elected or appointed for fixed terms.	Farm labor and domestic servants.	Voluntary as to farm labor and domestic service.
NEVADA	Compulsory as to all employments. Elective as to sole proprietors.	Compulsory as to all employments, including public contractors. Also includes unpaid members of state departments, boards, commissions, agencies, or bureaus appointed by a statutory authority; members of local bands and orchestras.	Farm labor; domestic servants; casual employees; employees engaged without pay in employer's social or athletic events; and voluntary ski patrolmen.	Voluntary as to exempt employments. Employee may elect compensation if mandated employer is uninsured.
NEW HAMPSHIRE	Compulsory as to all employments. First 3 corporate officers not counted as employees. Elective as to partners and sole proprietors.	Compulsory as to all public employments.	Railroad workers covered under F.E.L.A. (Jones Act).	
NEW JERSEY	Elective as to all employments.	Compulsory as to all public employments.	Casual workers; maritime workers; and railroad workers engaged in interstate commerce.	
NEW MEXICO	Compulsory as to employers of 3 or more. Corporate officers who are 10% shareholders may reject. Elective as to partner or self-employed.	Compulsory as to state; counties, cities, towns; schools, drainage, irrigation, or conservancy districts; public instruction or administrative boards; includes elected or appointed officials.	Farm or ranch labor, domestic servants, and casual employees.	Voluntary as to farm labor, domestic service, and where less than 3 are employed.
NEW YORK	Compulsory as to all employments. Corporate officer who is sole shareholder may reject.	Compulsory as to state and subdivisions when worker is engaged in hazardous occupations enumerated. Covers school aides and public school teachers in districts outside New York City. Voluntary as to municipal corporations in nonhazardous employments.	Farm labor if payroll during prior year was less than $1,200; volunteer workers; domestic worker not employed by same employer at least 40 hours per week; teacher or nonmanual laborer for religious, charitable, or educational institution; and corporate officer who is sole shareholder and has no other employees.	Voluntary as to exempt employments and for certain employment in fulfillment of probationary sentence.
NORTH CAROLINA	Compulsory as to all employers of 4 or more and all employments with exposure to radiation. Corporate officers count toward total number of employees but may reject. Elective as to partner or sole proprietor.	Compulsory as to public employments, public and quasi-public corporations, and elective officials.	Farm labor, domestic servants, casual workers, railroad workers, voluntary ski patrolmen, individual sawmill or logging operators with fewer than 10 employees who operate less than 60 days over a 6-month period.	Voluntary as to casual employees, domestic servants, and employers of fewer than 4 employees. Compulsory as to agricultural employer with 10 or more full-time nonseasonal workers.

NOTE: State courts vary in decisions whether minimum number of persons must be in state.

[1]Compensation laws are classified as compulsory or elective. A compulsory law requires every employer to accept the act and pay the compensation specified. An elective act is one in which the employer has the option of either accepting or rejecting the act, but if he rejects it he loses the customary common law defenses (risk assumed by employee, negligence of fellow servants, and contributory negligence). In most states workers in excepted or excluded employments may be brought under coverage of the act through voluntary action of the employer. In other states, such action of the employer must be concurred in by the employees.

[2]Applying to private employments only. The exceptions for public employments are given under "Employments Covered—Public."

Me. *Employers of domestic servants or seasonal or casual farm or aquacultural labor.

Mich. *Corporate officer who is 10% shareholder of corporation with up to 10 shareholders may reject.

Minn. *Act does not apply to persons covered by Domestic Volunteer Service Act of 1973, as amended.

Mo. *Employers who do not elect coverage are liable to suit with defenses abrogated.

CHART II ☐ COVERAGE OF LAWS ☐ January 1, 1985 (continued)

JURISDICTION	EMPLOYMENTS COVERED[1]		EXCEPTIONS[2]	SPECIAL COVERAGE PROVISIONS[1]
	PRIVATE	PUBLIC		
NORTH DAKOTA	Compulsory as to all hazardous employments. Elective as to corporate officers, partners or sole proprietors.	Compulsory as to all public employments.	Farm labor, domestic servants, casual workers, illegal enterprises or occupations, and clergy.	Voluntary as to nonhazardous and excluded employments.
OHIO	Compulsory as to all employments. Elective as to partners and sole proprietors.	Compulsory as to state, counties, cities, townships, incorporated villages, and school districts.	Casual and domestic workers paid less than $160 by one employer in any 3-month period.	Elective as to officers of family farm corporations.
OKLAHOMA	Compulsory as to all employments. Elective as to 10% shareholders, partners, and sole proprietors.	Compulsory as to the state, counties, cities, or municipalities employing workers in hazardous employments, except where equivalent schemes are in force.	Domestic and casual employees of homeowner whose annual payroll is under $10,000; worker covered by federal law; agricultural horticultural employer whose annual payroll is under $100,000; real estate salesmen and brokers.	Excludes certain persons sentenced to public service, assigned to work release or private prison industry programs.
OREGON	Compulsory as to all employments. Elective as to sole proprietors, partners, and corporate officers who are also directors with a substantial ownership interest.*	Compulsory as to state, departments, cities, or towns and other political subdivisions. Covers volunteer trainees in state schools for deaf and blind.	Domestics, casual labor, interstate transportation, certain charitable or relief work, and commission-paid real estate agents.	Voluntary as to excepted employments. Covers clients in Vocational Rehabilitation Division. Owner-operator of equipment for hire or taxi may elect coverage.
PENNSYLVANIA	Compulsory as to all employments.	Compulsory as to all public employments except elected officials. Students in vocational work program covered as employees of employer.	Domestic or casual labor, outworker[3], farmer with 1 employee who works less than 20 days a year or earns less than $150 a year.	Voluntary as to casual and domestic service.*
PUERTO RICO	Compulsory as to all employments.	Compulsory as to all salaried public employments.	Casual and domiciliary workers.	Voluntary for sole proprietors and their families when supervising or engaging in manual labor in their business or farm.
RHODE ISLAND	Compulsory as to all employers of 4 or more, and employers in hazardous occupations.	Compulsory as to the state and city of Providence; elective as to cities or towns.	Agriculture, domestic service.	Voluntary as to agriculture, domestic service, and employers of less than 4 employees, except those in hazardous occupations. Excludes employer-sponsored social or athletic activity.
SOUTH CAROLINA	Elective as to all employers of 4 or more, including active partners and sole proprietors whose employees are eligible for benefits.	Compulsory as to all public employments except elective and appointive officials.	Casual employees, persons engaged in selling agricultural products, farm labor, railroads, express companies, state and county fair associations, employer with annual payroll under $3,000.	Voluntary as to excluded employments.
SOUTH DAKOTA	Compulsory as to all employments. Elective as to employer performing labor incidental to job.	Compulsory as to all public employments, except elected or appointed officials. Firemen covered. Subdivisions of state may elect to cover elected and appointed officials. Students in vocational work program covered as employees of employer.	Farm labor, domestic servants if employed more than 20 hours in any week and more than 6 weeks in any 13-week period, and workfare participants.	Voluntary as to farm labor and domestic service. Compulsory as to operators of farm machinery, e.g., threshers, combines, shellers, cornhuskers.
TENNESSEE	Compulsory as to all employers of 5 or more. Corporate officers may reject. Elective as to partners and sole proprietors.	Voluntary as to state and political subdivisions.	Farm labor, domestic servants, casual employees, employees of interstate common carriers, and voluntary ski patrolmen.	Voluntary as to employers of less than 5.
TEXAS	Elective as to all employments. Elective as to corporate officers, partners, and sole proprietors. Farm ranch operator may elect to cover self, partner, corporate officer or family member.	State provides self-insurance coverage for Highway Dept., University of Texas, and Texas A&M University. Counties and municipalities may provide compensation for their employees (by separate act).*	Domestic servants, railways used as common carriers, and employees not in usual course of employer's business; seasonal farm ranch labor for employer with payroll under $25,000;** and other farm ranch labor for employer with payroll under $75,000.***	Specifically covers motorbus companies. Elective as to excepted workers. Real estate salesmen by commission only may elect coverage.
UTAH	Compulsory as to all employments. Elective as to partners and sole proprietors.	Compulsory as to all public employments, including volunteers.	Casual employees. Farm employers whose payroll is less than $2,500 per year, who do not employ 4 persons for 40 hours per week for 13 weeks during year; or employer-owner's family. Domestics who work less than 40 hours per week for a single employer.	Voluntary as to farm labor and domestic service.
VERMONT	Compulsory as to all employments. Corporate officers may reject.	Compulsory as to all public employees, including legislators while in session, teachers, police, firemen, town and school employees, other municipal employees entitled to pensions, and road commissioners or selectmen engaged in highway maintenance or construction.*	Casual or domestic employees; amateur athletes; farm labor where employer's payroll is under $2,000 per year.	Specifically covers circuses and carnivals. Exempted farmers and employers of domestics may elect coverage.
VIRGIN ISLANDS	Compulsory as to all employments. Elective as to partners and sole proprietors.	Compulsory as to all public employments.	Casual and domestic employees, and volunteers for charitable organizations.	Voluntary as to exempt employers and employees.
VIRGINIA	Compulsory as to employers of 3 or more and farm employer with more than 2 full-time employees. Elective for corporate officers, partners, and sole proprietors.	Compulsory as to all public employments, except administrative officers and employees elected or appointed for definite terms.* Includes judges of Supreme Court and Circuit Court and judges and clerks of juvenile, domestic relations, and district courts.	Casual employees; horticultural and farm laborers; domestic servants; employees of steam railroads; employments not in usual course of employer's trade, business, or occupation; and real estate salesmen associated brokers on commission, under independent contract, or who are not treated as employees for federal income tax purposes.	Voluntary as to employers of less than 3, farm labor, and domestics.
WASHINGTON	Compulsory as to all employments. Elective as to partners, sole proprietors, joint venturers, and corporate officers who are shareholders directors.	Compulsory as to all public employments.	Home repair and gardening workers, railroad workers, unpaid workers in eleemosynary institutions, children under 18 on a family farm, jockeys, farm labor earning less than $150 from one employer in calendar quarter,* and employments not in usual course of employer's business.	Covers apprentices registered with Apprenticeship Council. Excludes purchaser of contract musical or entertainment performance.
WEST VIRGINIA	Compulsory as to all employments. Elective as to partners, sole proprietors, and officers or shareholders in Subchapter S corporations.	Compulsory as to all public employments, including elected officials. Elective for churches.	Domestic workers, farm labor of 5 or fewer, casual employees, and employees working out of state (except temporarily).	Compulsory for officers of corporations and executive associations. Elective as to employers in organized professional sports, including thoroughbred horse racing.
WISCONSIN	Compulsory as to all employments (except farm labor) if paid $500 or more in any calendar quarter for services in the state. Compulsory as to farmers with 6 or more employees.	Compulsory as to all employees, including state legislators. Includes certain vocational education students.	Domestic servants and casual employees.	Voluntary as to excluded employments. Elective as to working partners. Includes participant in community work experience program.

NOTE: State courts vary in decisions whether minimum number of persons must be in state.

[1]Compensation laws are classified as compulsory or elective. A compulsory law requires every employer to accept the act and pay the compensation specified. An elective act is one in which the employer has the option to either accept or reject the act, but if he rejects it he loses the customary common law defenses (risk assumed by employee, negligence of fellow servants, and contributory negligence). In most states workers in excepted or excluded employments may be brought under coverage of the act through voluntary action of the employer. In other states, such action of the employer must be concurred in by the employees.

[2]Applying to private employments only. The exceptions for public employments are given under "Employments Covered—Public."

[3]Outworker is person to whom articles are given for cleaning, repair, etc., at home.

Ohio *Ownership interest not required for certain family farms.

Pa. *Elective for members of certain State Treasurer, and State religious sects whose tenets prohibit benefits from insurance, provided the sect makes provision for its members.

Texas *Subdivisions may elect to cover officer deemed volunteer firemen, police, and emergency medical personnel.

**To be adjusted for inflation.

***$50,000 for 1988-90, $25,000 or 3 more employees for 1991 (dollar amounts to be adjusted for inflation).

Vt. *Municipalities may elect coverage of other employees. Excludes other elected officials, certain judges, sheriffs, and county treasurers and clerks.

Va. *Governing body of county, city, or town may elect coverage of its members.

Wash. *Farm labor provision held unconstitutional by state Supreme Court (*Macias vs. Dept. of Labor and Industries*) on 9/83.

CHART II ☐ COVERAGE OF LAWS ☐ January 1, 1985 (continued)

JURISDICTION	EMPLOYMENTS COVERED[1]		EXCEPTIONS[2]	SPECIAL COVERAGE PROVISIONS[2]
	PRIVATE	PUBLIC		
WYOMING	Compulsory as to enumerated "extra-hazardous" occupations conducted for gain. Elective as to corporate officers.*	Compulsory as to state, counties, and municipal corporations when engaged in "extrahazardous" work.	Domestic servants and casual employees, office workers, sales clerks, farm and ranch workers.	Elective as to farm and ranch workers (except dude ranches).
F.E.C.A.		All civil employees of the U.S. government, including wholly owned instrumentalities, and persons performing activities of civil employees without pay.		
LONGSHORE ACT	Compulsory as to all maritime employment nationwide, including longshoring, harborworking, shipbuilding, or ship repair.	Officers and employees of the U.S. or any state or foreign governments are not covered.	Master or crew of any vessel and persons unloading or repairing vessels of less than 18 tons.** Not applicable to maritime employment in Puerto Rico.**	Act also applies to workers at military bases and public works abroad; welfare and morale service workers for military abroad; and workers for nonappropriated funds (ship) s services, PX's, etc.) in U.S. and abroad.
ALBERTA	Compulsory as to all nonexempted employments. Corporate officers are covered*; employer may elect coverage for self. Elective as to partners and sole proprietors.	Compulsory as to provincial employees; most school teachers are exempt.	Employments listed in General Regulations (includes farm labor, domestics, outworkers[3], financial institutions, religious and charitable institutions, legal services, medical and dental services, athletes, and employees of labor unions).	Voluntary as to excepted employments and corporate directors. Board may include any individual or class by regulation.
BRITISH COLUMBIA	Compulsory as to all employments listed in Part I. Employer may elect coverage for self.	Compulsory as to all provincial and municipal employees, including members of fire brigade, ambulance staff, and mine rescue or inspection workers.	Outworkers,[3] casual labor, performers.	Voluntary as to unenumerated employments. Board may include any industry by regulation. Lt. Gov.-in-Council may require coverage of commercial fishing industry.
MANITOBA	Compulsory as to all employments listed in Schedule I. Elective as to corporate officer, employer, or sole proprietor.	Compulsory as to all provincial and municipal employments, except employees of school boards, including teachers.	Farm labor, outworkers,[3] casual labor.	Voluntary as to unenumerated and excepted employments. Lt. Gov.-in-Council may include any industry by regulation.
NEW BRUNSWICK	Compulsory as to all regular employers of 3 or more. Compulsory as to salaried corporate officer or director. Employer may elect coverage for self.	Elective as to public employments.	Outworkers,[3] domestic servants, and persons whose employment is of a casual nature and otherwise than for the purpose of business.*	Voluntary as to excepted employments. Lt. Gov.-in-council may regulate exclusion of industry in which not more than stated number of workers fixed by regulation are usually employed.
NEWFOUNDLAND	Compulsory as to all employments except as excluded by regulation.	All provincial and federal employees are covered.	Artists, entertainers, circus and trade shows, newsboys, and clergy; employment by a person in respect of a function in private residence of that person; salesmen employed out of province; sports professionals, instructors, players and coaches; volunteers and outworkers.[3]	Commission may accept excluded employer or worker.
NORTHWEST TERRITORIES	Compulsory as to all employments. Elective as to corporate officers.	Compulsory as to territory government.	Partners in professional firms.	Commissioner may exempt industry, employer, or worker. Voluntary as to excepted employment.
NOVA SCOTIA	Compulsory as to employments listed in Part I; Board has exempted employers of 2 or fewer. Includes corporate executives; employer may elect coverage for self.	Elective as to public employments. Firemen and police are excluded. Board may exclude public officials.	Casual labor, outworkers[3], farm labor, domestic servants. By regulation Board has excluded specific industries, including educational institutions, persons in medical work and dental surgery, veterinarians, athletes, barbers, taxicabs, florists, horticultural employment, entertainers, and aviation industry.	Voluntary as to excepted employments. Board may include or exclude any industry, or set numerical exemption, by regulation.
ONTARIO	Compulsory as to all employments listed in Schedules I and II. Corporate officer may elect coverage.	Compulsory as to all provincial and municipal employments.	Domestic servants, outworkers[3]	Voluntary as to unenumerated and excepted employments.
PRINCE EDWARD ISLAND	Compulsory as to employments listed in Part I. Board has exempted employers with 1 employee. Elective as to corporate officer.	Compulsory except for municipal officers. Municipal firemen and police may be covered on application.	Casual labor, outworkers,[3] farm labor, domestic servants, taxi industry, junk industry employers of 9 or fewer, aviation industry employers of 99 or fewer.	Voluntary as to unenumerated and excepted employments.
QUEBEC	Compulsory as to all employments.	Compulsory as to all provincial and municipal employments.	Domestic servants and outworkers.[3]	Voluntary as to unenumerated and excepted employments.
SASKATCHEWAN	Compulsory as to all employments. Compulsory for corporate officers and salaried employers.	Compulsory as to all provincial and municipal employments. Municipalities and corporations may elect coverage of mayor and members of governing body.	Farm and ranch labor, domestic servants, outworkers,[3] and school teachers.	Voluntary as to excepted employments. Lt. Gov.-in-Council may exclude any industry, employer, or worker.
YUKON TERRITORY	Compulsory as to all employments.	Compulsory as to territory government.	Casual employees, domestics, outworkers[3]	Voluntary as to excepted employments.
CANADIAN GOVERNMENT EMPLOYEES' ACT		Compulsory as to employees of government departments, Crown corporations, boards, commissions, etc., in Canada and abroad.		Claims are determined by provincial boards. Benefits same as for private employees in same province; worker in territory is deemed employed in Alberta.
CANADIAN MERCHANT SEAMEN'S ACT	Compulsory as to all employees of Canadian registered ships, as defined.		Pilots, apprenticed pilots, and fishermen.	No compensation payable if entitled under Government Employees' Compensation Act or any provincial act.

[1]Compensation laws are classified as compulsory or elective. A compulsory law requires every employer to accept the act and pay the compensation specified. An elective act is one in which the employer has the option of either accepting or rejecting the act, but if he rejects it he loses the customary common law defenses (risk assumed by employee, negligence of fellow servants, and contributory negligence). In most jurisdictions workers in excepted or excluded employments may be brought under coverage of the act through voluntary action of the employer. In other jurisdictions, such action of the employer must be concurred in by the employees.

[2]Applying to private employments only. The exceptions for public employments are given under "Employments Covered—Public."

[3]Outworker is person to whom articles are given for cleaning, repair, etc., at home.

Wyo. *Salary of corporate officer is $2,400 minimum, $4,800 maximum.

Longshore *Also excluded to extent covered by state law are: office, clerical, secretarial, security or data processing employees; club, camp, recreational operation, restaurant, museum or retail outlet employees; marina employees not engaged in construction, replacement or expansion; persons temporarily on premises not doing work normally performed by employer; aquaculture workers; builders, repairers or dismantlers of recreational vessels under 65 feet in length, and master or crew member of any vessel.

**By decisional law. Garcia v. Friesecke, 597 F.2d 284 (1st Cir.), cert. denied, 444 U.S. 940 (1979).

Alta.* Corporate director may elect coverage.

N.B.* By regulation also excludes fishing industry; employers of less than 10 workers in hand laundry and air or water transport; employers of less than 500 workers on vessel in intraprovincial waters.

CHART III — COVERAGE OF MINORS — January 1, 1985

JURISDICTION	COVERED	FUTURE EARNING CAPACITY	ILLEGAL EMPLOYMENT	SPECIAL BENEFIT PROVISIONS
ALABAMA	Yes		Double compensation	Settlement valid.
ALASKA	Yes	Considered		
AMERICAN SAMOA	Yes	Considered		Guardian may be required.
ARIZONA	Yes	Considered		Lump sum payable to guardian.
ARKANSAS	Yes		Double compensation*	
CALIFORNIA	Yes	Considered	50% additional compensation[1]	Settlement valid until claimed by parent or guardian.
COLORADO	Yes		(+)	
CONNECTICUT	Yes	Considered		If under 18, 50% additional compensation for scheduled injury. If under 16, 100% added. Guardian may be required.
DELAWARE	Yes			
DISTRICT OF COLUMBIA	Yes	Considered		
FLORIDA	Yes			Guardian may be required.
GEORGIA	Yes			Board may appoint special guardian where no general guardian has been appointed.
GUAM	Yes	Considered		Guardian may be required.
HAWAII	Yes	Considered*		
IDAHO	Yes	Considered*		Lump sum under probate jurisdiction.
ILLINOIS	Yes		If under 16, 50% additional compensation	Minor may elect suit for damages.
INDIANA	Yes		If under 16, double compensation[1,*]	If over $100, payable to guardian.
IOWA	Yes	Considered if apprentice or trainee		Settlement valid.
KANSAS	Yes			Payments to minor, guardian, or conservator.
KENTUCKY	Yes	Considered		Lump sum payable to guardian.
LOUISIANA	Yes*			
MAINE	Yes			
MARYLAND	Yes	Considered	Double compensation, discretionary[1]	
MASSACHUSETTS	Yes	Considered	Double compensation[1]	If guardian required, insurer must pay expenses.
MICHIGAN	Yes		If under 18, double compensation*	
MINNESOTA	Yes			Entitled to maximum benefits if permanent partial disability. Guardian may be required.
MISSISSIPPI	Yes		Double compensation*	Guardian may be required.
MISSOURI	Yes	Considered	50% additional compensation	
MONTANA	Yes	Considered		
NEBRASKA	Yes		Same as adults	
NEVADA	Yes		Up to $500 per offense	
NEW HAMPSHIRE	Yes	Considered	Illegally employed, double compensation	
NEW JERSEY	Yes*		Under 14, or between 14-18 without permit, double compensation.** Minor may elect suit for damages.	Guardian required.
NEW MEXICO	Yes			
NEW YORK	Yes	Considered	If under 18, double compensation[1]	Applies to second injuries, rehabilitation, and reopened cases.
NORTH CAROLINA	Yes	Considered*		Permanent disability payments over $500 payable to guardian.
NORTH DAKOTA	Yes	Considered		Lump sum payable to guardian.
OHIO	Yes	Considered	Double compensation	Lump sum payable to guardian.
OKLAHOMA	Yes	Considered	Excluded	
OREGON	Yes		25% (maximum $500) to state fund	Lump sum payable to guardian.
PENNSYLVANIA	Yes		Violation of child labor law—50% additional compensation[1]	
PUERTO RICO	Yes		If under 18, double compensation	
RHODE ISLAND	Yes		Triple compensation	
SOUTH CAROLINA	Yes			If over $250, payable to guardian.
SOUTH DAKOTA	Yes			
TENNESSEE	Yes			If over $250, payable to guardian.
TEXAS	Yes	Considered		Payable to guardian.
UTAH	Yes	Considered		Lump sum payable to guardian.
VERMONT	Yes			
VIRGIN ISLANDS	Yes		30% additional compensation[1]	
VIRGINIA	Yes			If over $300, payable to guardian.
WASHINGTON	Yes		50% to state fund*	If over $750, lump sum payable under probate jurisdiction.
WEST VIRGINIA	Yes		Same as adults	
WISCONSIN	Yes	Considered	Doubled or tripled*	Guardian may be required.
WYOMING	Yes			Lump sum payable under probate jurisdiction.
F.E.C.A.	Yes	Considered		
LONGSHORE ACT	Yes	Considered		
ALBERTA	Yes	Considered		Paid as Board deems best.
BRITISH COLUMBIA	Yes	Considered		Paid as Board deems best.
MANITOBA	Yes	Considered		Paid as Board deems best.
NEW BRUNSWICK	Yes	Considered		Paid as Board deems best.
NEWFOUNDLAND	Yes	Considered	Death benefit to parent may be withheld	Paid as Commission deems best.
NORTHWEST TERRITORIES	Yes	Considered		Paid as Board deems best.
NOVA SCOTIA	Yes	Considered	If under 14, death benefit to parent may be withheld	Paid as Board deems best.
ONTARIO	Yes	Considered	(+)	Paid as Board deems best.
PRINCE EDWARD ISLAND	Yes	Considered	(+)	Paid as Board deems best.
QUEBEC	Yes	Considered		Paid as Commission deems best.
SASKATCHEWAN	Yes	Considered		Paid as Board deems best.
YUKON TERRITORY	Yes	Considered		Paid as Commissioner deems best.
CANADIAN MERCHANT SEAMEN'S ACT	Yes			Paid as Board deems best.

[1]Employer may not insure additional amount of compensation.

Ark. *Unless minor misrepresents age in writing to employer.

Colo. *Permanent disability and death benefits paid at maximum rate payable at time of death or determination of permanent disability.

Hawaii *Permanent total disability and death benefits based on AWW employee would have received at age 25.

Idaho *Adult wages for all scheduled injuries.

Ind. *Student in vocational education program treated as worker age 17 and not entitled to double compensation.

La. *Compulsory coverage for minors between 12 and 16 engaged in street trade.

Mich. *Except in case of fraudulent use of permits or age certificates.

Miss. *Employer may not insure additional amount of compensation. Students 14 and over employed between semesters or on on-the-job training, and junior auxiliary firemen, are excepted.

N.J. *Does not apply if working under certificate.

**Employer may not insure additional amount of compensation. Students age 14 and over employed between semesters or on on-the-job training, and junior auxiliary firemen, are excepted.

N.C. *Compensation for permanent disability or death with surviving dependents is based on AWW paid an adult employee in a position to which a minor employee would likely be promoted; if no position exists, then the minor is entitled to the maximum benefit. In temporary disability and no-dependency death cases, compensation may be increased in proportion to expected earnings where total disability extends over 52 weeks.

Wash. *Imposed only if minor is below minimum age for employment or working without permit.

Wis. *Doubles for minor of permit age employed without a permit. Maximum $7,500; tripled where such minor was employed in prohibited work, or in the case of minor under permit age and illegally employed. Maximum $15,000. Additional compensation payable by employer. Minors given contractual power under the Act. Employer misled by fraudulent written evidence of age by minor; extra compensation paid into special children's death benefit fund.

Ont. *Employer may be held individually liable.

P.E.I. *Employer may be held individually liable.

CHART IV COVERAGE OF OCCUPATIONAL DISEASES January 1, 1985

JURISDICTION	NATURE OF COVERAGE[1]	MEDICAL BOARDS	ONSET OF DISABILITY OR DEATH	TIME LIMIT ON CLAIM FILING	DEDUCTIONS FROM DEATH AWARDS	MEDICAL CARE	COMPENSATION[2]
ALABAMA	All diseases		Death—within 3 years after last exposure or last payment. Radiation or occupational pneumoconiosis*—exposure must occur in at least 12 months over 5 years prior to last exposure.	Disability—within 2 years after last exposure or last payment (radiation—within 2 years and claimant knows/should know relation to employment). Death—within 2 years after death or last payment. Coalminer's pneumoconiosis—within 3 years after total disability or death and claimant knows/should know relation to employment.		Unlimited	Same as for accidents. Coalminer's pneumoconiosis—total disability or death compensated same as Federal Black Lung Act.
ALASKA	All diseases			2 years after knowledge of relation to employment. Within 1 year after death.		Unlimited	Same as for accidents.
AMERICAN SAMOA	All diseases	Claimant examined by physician selected by Commissioner.		Within 1 year after claimant knows should know relation to employment.		Unlimited	Same as for accidents.
ARIZONA	All diseases	Board of 3 medical consultants may be appointed by Commission. Report is prima facie evidence of facts.	Silicosis or asbestosis—employer liable only if exposure during 2 years.	Within 1 year after disability or accrual of right, excusable.*	Disability payments	Unlimited	Same as for accidents.
ARKANSAS	All diseases		Disability or death—within 1 year after last exposure (3 years for silicosis or asbestosis), or 7 years for death following continuous disability.* Does not apply to radiation. Silicosis or asbestosis presumed nonoccupational absent exposure in 5 years over 10 years prior to disability (2 of 5 years in-state unless same employer).	Disability—within 2 years after last exposure (silicosis or asbestosis—within 1 year from disablement; radiation—within 2 years from diagnosis). Death—within 2 years.		Unlimited	Same as for accidents. Silicosis and asbestosis—partial disability less than 33-1/3% non-compensable.*
CALIFORNIA	All diseases. Special account for asbestos-related disease.			Disability—within 1 year from injury or last payment. Death—within 1 year after death (for death within 1 year after injury); 1 year after last medical payment; or 1 year after death if compensation paid; no proceedings more than 240 weeks after injury except for claims based on asbestos exposure.*		Unlimited	Same as for accidents.
COLORADO	All diseases		Disability—within 5 years after injury (no limit for radiation, asbestosis, silicosis, or anthracosis). Silicosis or asbestosis—employer liable only if exposure lasts 60 days.	Within 3 years after disability or death (5 years in case of ionizing radiation, asbestosis, silicosis, or anthracosis or if reasonable excuse).		Unlimited	Same as for accidents.
CONNECTICUT	All diseases	Panel of 3 physicians may be appointed by Commissioner to resolve medical issues involving lung disease.		Within 3 years after first manifestation of disease (within 2 years if death occurs within 2 years after first manifestation of disease, or 1 year after death, whichever is later).		Unlimited	Same as for accidents.
DELAWARE	All diseases			Disability or death—within 1 year after claimant knows relation to employment.		Unlimited	Same as for accidents.
DISTRICT OF COLUMBIA	All diseases			Within 1 year after injury, death, last payment, or knowledge of relation to employment.		Unlimited	Same as for accidents.
FLORIDA	All diseases		Death—following continuous disability and within 350 weeks after last exposure. Employer liable for dust disease only if exposure lasts 60 days.	Within 2 years after disablement, death, or last payment.		Unlimited	Same as for accidents.
GEORGIA	All diseases	Medical board of 5; finding conclusive.	Within 1 year after last exposure (3 years for byssinosis, silicosis, or asbestosis; 7 years for death following continuous disability). Employer liable for silicosis or asbestosis only if exposure lasts 60 days; presumed nonoccupational absent exposure in 5 years over 10 years prior to disability (2 years in-state unless same employer).**	Within 1 year after disablement, death, or medical care, or 2 years after last payment.* Radiation—within 1 year after onset of disability and claimant knows should know relation to employment.*	Disability payments	Unlimited	Same as for accidents***
GUAM	All diseases			Within 1 year after injury, death, or last payment.		Unlimited	Same as for accidents.
HAWAII	All diseases			Within 2 years after claimant knows relation to employment.		Unlimited	Same as for accidents.

[1]Employer and insurance carrier at time of last exposure are liable in Arkansas, Colorado, Florida, Georgia, Illinois, Indiana, Kansas, Kentucky, Maine, Maryland, Minnesota, New Hampshire, North Carolina, Oklahoma, Tennessee, Vermont, and Virginia. The employer at time of last exposure is liable in Alabama, Arizona, Iowa, Michigan, Missouri, Montana, New Mexico, Pennsylvania, South Dakota, Texas, and Utah. Liability is apportioned among responsible employers in New York and Rhode Island. California limits liability to employer during last year of exposure.

[2]Benefits determined as of the date of last exposure or last injurious exposure in Arkansas, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maine, Michigan, Minnesota, Missouri, New Jersey, South Dakota, Texas, Washington, Wisconsin, and Wyoming. Benefits determined as of the date of disability, knowledge, or manifestation in Alabama, Alaska, Arizona, California, Colorado, Connecticut, Delaware, Florida, Hawaii, Idaho, Iowa, Maryland, Massachusetts, Mississippi, Montana, Nebraska, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Utah, Vermont, and West Virginia.

Ala. *Radiation illness caused by gradual exposure.

Ariz. *Limit on filing runs from when injury is manifest or when claimant knows should know relation to employment; tolled during incapacity.

Ark. *Silicosis or asbestosis—worker who is affected but not disabled may leave work and receive up to 26 weeks of benefits plus up to $400 for retraining.

Calif. *Date of injury is date of disability and claimant knows should know relation to employment.

Ga. *Byssinosis claims diagnosed before July 1, 1983, must be filed before July 1, 1984.

**Year is 200 days exposure over 12 months.

***Silicosis or asbestosis—worker who is affected but not disabled may waive full compensation and if later disabled receive benefits up to 100 weeks $2,000.

CHART IV ☐ COVERAGE OF OCCUPATIONAL DISEASES ☐ January 1, 1985 (continued)

JURISDICTION	NATURE OF COVERAGE[1]	MEDICAL BOARDS	ONSET OF DISABILITY OR DEATH	TIME LIMIT ON CLAIM FILING	DEDUCTIONS FROM DEATH AWARDS	MEDICAL CARE	COMPENSATION[2]
IDAHO	All diseases		Within 1 year after last exposure (4 years for silicosis, 7 years for death following continuous disability). Employer liable for nonacute disease only if exposure lasts 60 days. Silicosis—exposure must occur in 5 years during 10 years prior to disablement (last 2 in-state unless same employer).	Within 1 year after manifestation or death. Silicosis—within 4 years after last exposure. Radiation or unusual disease—within 1 year after incapacity, disability, or death and claimant knows should know relation to employment.	Disability payments	Unlimited	Same as for accidents. Silicosis—partial disability noncompensable.*
ILLINOIS	All diseases		Disability—within 2 years after last exposure (3 years for beryllosis or silicosis, 25 years for asbestosis or radiation).	Disability—within 3 years after disablement or 2 years after last payment. Death—within 3 years after death or last payment. Coal-miner's pneumoconiosis—within 5 years after last exposure or last payment. Radiation or asbestosis—within 25 years after last exposure.	Disability payments but with minimum compensation	Unlimited	Same as for accidents.
INDIANA	All diseases		Disablement—within 2 years after last exposure (3 years if caused by asbestos, coal, or silica dust); radiation—within 2 years after claimant knows should know relation to employment. Death—within 2 years after disablement or during pendency of disability claim filed within that period; within 2 years after fixed disability expires but no later than 300 weeks after disablement. Employer liable for silicosis or asbestosis only if exposure lasts 90 days.	Within 2 years after disablement or death.	Disability payments	Unlimited	Same as for accidents.
IOWA	All diseases	Medical Board may decide controverted medical questions or provide medical examinations for certain employees.	Disability or death—within 1 year after last exposure (3 years for pneumoconiosis, 7 years for death following continuous disability). Pneumoconiosis presumed nonoccupational absent exposure in 5 years over 10 years prior to disability (2 of 5 years in-state); employer liable only if exposure lasts 60 days.	Within 2 years after death or disablement or 3 years after last payment.* Radiation—within 90 days after disablement or death and claimant knows should know relation to employment.	Same as for accidents	Unlimited	Same as for accidents. Pneumoconiosis—partial disability less than 33-1/3% is noncompensable.**
KANSAS	All diseases		Disability or death—within 1 year after last exposure (3 years for death from silicosis, 7 years for death following continuous disability). Does not apply to radiation. Silicosis presumed nonoccupational absent exposure in 5 years over 10 years prior to disability (2 of 5 years in-state unless same employer); employer liable only if exposure lasts 60 days.	Within 1 year after disablement, death, or last payment (2 years after last payment in case of silicosis). Radiation—within 1 year after claimant knows should know relation to employment.		Unlimited	Same as for accidents*
KENTUCKY	All diseases*			Disability—within 3 years after last exposure or first manifestation. Death—within 3 years, if it occurs within 3 years after last exposure or first manifestation. Limit waived where voluntary payment or employer knows of disease and cause. No claim more than 5 years after last exposure (20 years in case of radiation), except for death within 20 years after continuous disability begins in cases where there is award or timely claim for disability.**		Unlimited	Same as for accidents. Where disablement occurs after 5 years exposure or results from silicosis or pneumoconiosis, apportioned between employer and Special Fund; Fund pays 75% of cost if not conclusively proven to result from last exposure, otherwise pays 40%. Employer pays balance.
LOUISIANA	All diseases		Diseases contracted in less than 1 year presumed to be nonoccupational. Presumption is rebuttable by "overwhelming preponderance of evidence."	Disability—within 6 months after manifestation, occurrence of disability, or worker knows should know relation to employment. Death—within 6 months, or within 6 months after worker knows should know relation to employment.	Same as for accidents	Unlimited	Same as for accidents.
MAINE	All diseases		Incapacity—within 3 years after last exposure (does not apply to asbestos-related disease). Employer liable only if exposure lasts 60 days (except for radiation and asbestos-related disease). Silicosis presumed nonoccupational absent in-state exposure in 2 years during 15 years preceding disability (part of exposure may be out of state if same employer).	Within 2 years after incapacity or 1 year after death or last payment (40 years after last payment for asbestos-related disease).* If mistake of fact, within reasonable time but no later than 10 years after last payment. Radiation—limit runs from date of incapacity and claimant knows should know relation to employment.	Disability payments	Unlimited	Same as for accidents.
MARYLAND	All diseases*			Within 2 years after disablement, death, or actual knowledge of relation to employment; excusable (3 years for pulmonary dust disease).		Unlimited	Same as for accidents.
MASSACHUSETTS	All diseases			Within 1 year after injury, or death, excusable.	Disability payments	Unlimited	Same as for accidents.
MICHIGAN	All diseases			Within 2 years after claimant knows should know relation to employment.		Unlimited	Same as for accidents*

Idaho *Silicosis—worker who is affected but not disabled may waive full compensation and, if later disabled, receive benefits up to $5,000.

Iowa *Death from respiratory disease of coalminer employed 10 years presumed due to pneumoconiosis.

**Effective 7/1/84, 33% threshold requirement repealed; benefits now payable are prospective only.

Kan. *Worker who is affected but not disabled may waive full compensation and if later disabled receive benefits up to 100 weeks.

Ky. *Black lung claimant must file under state and federal law.

Me. *Claim for asbestos-related disease contracted between 11/30/67 and 10/1/83 must be filed by 1/1/85.

Md. *Disease or injury compensable under federal law (other than Social Security Disability Insurance) is not compensable.

Mich. *Silicosis, dust disease, and logging industry fund reimburses compensation over $25,000 or 104 weeks, whichever is greater for injury after 6/30/65; also reimburses benefits in cases of exposure to brominated biphenyl before 7/24/79 and where disability or death occurs/becomes known after 7/24/79.

CHART IV □ COVERAGE OF OCCUPATIONAL DISEASES □ January 1, 1985 (continued)

JURISDICTION	NATURE OF COVERAGE[1]	MEDICAL BOARDS	ONSET OF DISABILITY OR DEATH	TIME LIMIT ON CLAIM FILING	DEDUCTIONS FROM DEATH AWARDS	MEDICAL CARE	COMPENSATION[2]
MINNESOTA	All diseases			Within 3 years after employee's knowledge of cause of injury or disability.		Unlimited	Same as for accidents. Non-disabled claimants eligible for medical benefits. Supplemental benefits may be payable after 4 years from last exposure.
MISSISSIPPI	All diseases			Within 2 years after injury* or death.	Same as for accidents	Unlimited	Same as for accidents
MISSOURI	All diseases		Last employer liable for silicosis, asbestosis and radiation if exposure lasts 90 days.*	Within 2 years after injury, death, or last payment (3 years if no injury report filed); limitation runs from date injury is reasonably apparent.	Disability payments	Unlimited	Same as for accidents
MONTANA	All diseases	Examinations made by 1 or more members of the occupational disease panel.	Death—within 3 years after last employment unless continuous total disability (does not apply to radiation). Silicosis—total disability or death must occur within 3 years after last employment (except for death following continuous total disability), and employer is liable only if exposure lasts 90 workshifts.*	Within 1 year after disability and claimant knows should know relation to employment; may be extended 2 more years. No claim more than 3 years after last employment (except for radiation or death after continuous total disability).**	Disability payments	Unlimited	Same as for accidents, excluding partial disability. Worker who is affected but not disabled may leave job and receive compensation up to $10,000. Pneumoconiosis benefits reduced by amount payable under federal law. Benefits for silicosis are supplemented so that combined coripensation is $200 monthly; supplement is general revenue financed.
NEBRASKA	All diseases			Within 2 years after knew should have known of injury and relation to employment.		Unlimited	Same as for accidents
NEVADA	All diseases	Medical review board selected by director; findings conclusive.	Silicosis or respiratory dust disease is noncompensable absent in-state exposure in 3 years during 10 years preceding disability or death.	Within 90 days after knowledge of disability and relation to employment or 1 year after death. Silicosis or respiratory dust disease—within 1 year after temporary or total disability or death.		Unlimited	Same as for accidents
NEW HAMPSHIRE	All diseases			Within 2 years after injury or death and claimant knows should know of injury and relation to employment.*	Disability payments	Unlimited	Same as for accidents
NEW JERSEY	All diseases			Within 2 years after claimant knows relation to employment or last payment.		Unlimited	Same as for accidents
NEW MEXICO	All diseases		Death—within 1 year after last employment (3 years for death following continuous disability), and death must follow disability within 2 years. Silicosis or asbestosis—disability or death within 2 years after last employment (5 years for death following continuous disability); employer is liable only if exposure lasts 60 days; noncompensable absent in-state exposure in 1250 workshifts during 10 years preceding disability. Radiation—disability or death within 10 years after last employment.	Within 1 year after disability or death or 1 year 31 days after last voluntary payment. Radiation—within 1 year after disability begins or death and claimant knows should know relation to employment.	Disability payments	Unlimited	Same as for accidents
NEW YORK	All diseases			Within 2 years after disablement or death, or two years after claimant knows should know relation to employment.		Unlimited	Same as for accidents*
NORTH CAROLINA	All diseases	Commission appoints 3-member advisory board for silicosis or asbestosis cases.	Death within 2 years after injury, if totally disabled 6 years after injury or 2 years after final determination. Asbestosis—disability or death within 10 years after last exposure; for death following continuous disability, disability must occur within 10 years after last exposure.* Lead poisoning—disability or death within 2 years after last exposure; for death following continuous disability, disability must occur within 2 years after last exposure.	Within 2 years after disablement, death, or last payment, or within 2 years of notification by competent medical authority, whichever last occurs. Radiation—within 2 years after incapacity and claimant knows should know relation to employment.		Unlimited	Same as for accidents.**
NORTH DAKOTA	All diseases		Death—within 1 year after injury if no disability, or 1 year after cessation of disability, or 6 years after injury if disability is continuous.*	Within 1 year after injury; within 2 years after death (2 years after injury if no claim prior to death).*		Unlimited	Same as for accidents
OHIO	All diseases	Medical specialist in specific cases; findings advisory.		Within 2 years after disability or death or within 6 months after diagnosis (whichever is later).		Unlimited	Same as for accidents. No partial disability for respiratory dust disease.*

Miss. *For radiation, date of disablement is date of injury.

Mo. *By court decision. Does not apply to insurer. *Bollman v. Certain-Teed Products Corp.*, 651 S.W.2d 613 (Ct. App. 1984).

Mont. *Silicosis is noncompensable absent in-state exposure in 1,000 workshifts during 8 years preceding total disability; claimant who is discharged to avoid liability may receive compensation when totally disabled if employed 700 workshifts.

N.H. *Date of injury is last date of exposure or first date worker knows/should know relation to employment.

N.Y. *Disability or death due to silicosis or dust disease reimbursed from special fund for all payments over 104 weeks.

N.C. *Asbestosis or silicosis is noncompensable absent in-state exposure in 2 years during 10 years preceding last exposure or if exposure is less than 30 working days in 7 consecutive months.
**Worker who is affected but not disabled by asbestosis or silicosis or who is removed from exposure receives benefits up to $80 weekly for 104 weeks. If later totally disabled, full compensation is paid. If death results within 2 years after last exposure (350 weeks if caused by secondary infection), full compensation is paid. If partially disabled, 66-2/3% of wage loss is paid for another 196 weeks. If unrelated death, balance of 104 weeks is paid plus 300 weeks (total disability) or percentage of 196 weeks (partial disability). Worker may waive full compensation and receive 104 weeks of compensation plus 100 more weeks if later disabled or dies.

N.D. *Date of injury is date on which a reasonable person knows/should know relation to employment.

Ohio *Includes asbestosis, silicosis, and coalminer's pneumoconiosis. Worker who is affected but not disabled by respiratory dust disease and leaves employment may receive $49 weekly for 30 weeks, then 66-2/3% of wage loss (not to exceed $40.25 weekly).

CHART IV □ COVERAGE OF OCCUPATIONAL DISEASES □ January 1, 1985 (continued)

JURISDICTION	NATURE OF COVERAGE	MEDICAL BOARDS	ONSET OF DISABILITY OR DEATH	TIME LIMIT ON CLAIM FILING	DEDUCTIONS FROM DEATH AWARDS	MEDICAL CARE	COMPENSATION
OKLAHOMA	All diseases		Employer liable for silicosis or asbestosis only if exposure lasts 60 days.	Within 18 months after last exposure or manifestation and diagnosis by a physician, or within 3 months after disablement.		Unlimited.	Same as for accidents.*
OREGON	All diseases.			Within 5 years after last exposure and within 180 days after disablement or physician informs claimant of disablement. 10 years after last exposure for radiation disease.*		Unlimited.	Same as for accidents.
PENNSYLVANIA	All diseases.	Examination by impartial physician may be ordered.	Within 300 weeks after last exposure (except death following disability that occurs within 300 weeks after last exposure). Silicosis, anthracosilicosis, or coalminer's pneumoconiosis—noncompensable absent in-state exposure in 2 years during 10 years preceding disability.*	Within 3 years after disablement, death, or last payment. Radiation—within 3 years after the employee knows should know relation to employment.		Unlimited.	Same as for accidents.*
PUERTO RICO	Diseases as provided by law.		Disability—within 1 year after last exposure, except diseases with longer latency periods.	Within 3 years from time employee learns nature of disability.		Unlimited.	Same as for accidents.
RHODE ISLAND	All diseases.	Director of Labor appoints impartial physician.		Within 3 years after disability or death. Radiation—within 1 year after claimant knows should know relation to employment.	Disability payments.	Unlimited.	Same as for accidents.
SOUTH CAROLINA	All diseases.	Medical board determines controverted medical questions; pulmonary cases may be referred to pulmonary specialist of state medical universities.	Disease must be contracted within 1 year after last exposure (2 years for pulmonary dust disease), except radiation. Byssinosis is noncompensable absent exposure for 7 years.	Within 2 years after definitive diagnosis or 1 year after death. Radiation—limitation runs from date of disability and claimant knows should know relation to employment.	Disability payments.	Unlimited.	Same as for accidents. Worker who is affected but not disabled may waive compensation (except radiation).
SOUTH DAKOTA	All diseases.	Division may contract with physicians for reports.	Silicosis—noncompensable absent in-state exposure in 2 years (in-state requirement waived if same employer); employer liable only if exposure lasts 60 days.	Within 2 years after disability or death. Radiation—within 1 year after disability and claimant knows relation to employment.	Disability payments.	Unlimited.	Same as for accidents. No permanent partial disability for silicosis.*
TENNESSEE	All diseases.			Within 1 year after incapacity or death.	Same as for accidents.	Unlimited.	Same as for accidents. Coalminer's pneumoconiosis—same as federal Black Lung Act.
TEXAS	All diseases.	Provides for medical committee to pass on controverted questions and with power to order examinations.		Within 1 year after injury or first distinct manifestation, 1 year after death. May be extended.	Same as for accidents.		Same as for accidents.
UTAH	All diseases.	Commission appoints medical panel of 1 or more to report on extent of disability.	Partial disability—within 2 years after last exposure. Total disability—within 1 year after last employment; for silicosis, 3 years (uncomplicated) or 5 years (complicated). Death—within 3 years after last employment (5 years for complicated silicosis or death following continuous total disability). Not applicable to radiation. Silicosis—noncompensable absent 5 years in-state exposure in 15 years preceding disability; employer liable only if exposure lasts 30 days.	Within 1 year after incapacity or death and claimant knows should know relation to employment, but no later than 3 years after death. Permanent partial disability—within 2 years.	Disability payments.	Unlimited.	Same as for accidents.*
VERMONT	All diseases.		Disablement—within 5 years after last exposure. Death—during employment or after continuous disability beginning within 5 years after last exposure, but no later than 12 years after last exposure. Does not apply to radiation.	Within 1 year after discovery, death, or last payment. Radiation—within 1 year after first incapacity and worker knew should have known relation to employment.		Unlimited.	Same as for accidents. Affected but nondisabled worker may waive full compensation and later receive limited compensation.
VIRGIN ISLANDS	All diseases.			Within 60 days after disability.		Same as for accidents.	Same as for accidents.
VIRGINIA	All diseases.		Exposure in 90 workshifts conclusively presumed injurious exposure.	Within 2 years after diagnosis is first communicated to worker or within 5 years after last exposure, whichever is first.* Within 3 years after death occurring within periods for disability.	Disability payments.	Unlimited.	Same as for accidents.** Worker who is affected but not disabled may waive compensation.
WASHINGTON	All diseases.			Within 2 years after physician's written notice to claimant.		Unlimited.	Same as for accidents.

Okla. *Worker who is affected but not disabled by silicosis or asbestosis may waive compensation for aggravation of disease and, if later disabled, receive benefits for 100 weeks up to $2,000.

Ore. *Asbestos-related disease—within 40 years after last exposure and 180 days after disability or knowledge of disability.

Pa. *Under Occupational Disease Act, state pays $125 monthly for total disability or death caused by silicosis, anthracosilicosis, coalminer's pneumoconiosis, or asbestosis, provided there has been 2 years of in-state exposure, in cases where the claim is barred by the statute of limitations and the last exposure occurred before 1965 or where exposure occurred under several employers.

S.D. *Worker who is affected by silicosis but not disabled may waive full compensation and if later disabled or dies receive benefits up to 52 times the maximum weekly benefit; if leaves employment, may receive compensation up to $1,000.

Utah. *Worker with permanent partial disability who must change occupation may receive up to $1,000 for vocational rehabilitation and retraining, plus compensation of 66-2/3% of average weekly wages up to 66-2/3% of SAWW for up to 20 weeks, then additional compensation (cumulative total may not exceed $2,080).

Va. *5-year limitation does not apply to cataract of the eyes, skin cancer, radium disability, ulceration, undulant fever, angiosarcoma of the liver due to vinyl chloride exposure, or mesothelioma; byssinosis—within 7 years after last exposure; coalminer's pneumoconiosis—within 3 years after diagnosis; asbestosis—within 2 years after diagnosis (if based on changed condition, within 2 years after diagnosis of advanced stage).

**Compensation for advanced asbestosis based on wages at a time of diagnosis if employed in same employment where injurious exposure occured; otherwise based on average weekly wage of worker in similar employment.

CHART IV □ COVERAGE OF OCCUPATIONAL DISEASES □ January 1, 1985 (continued)

JURISDICTION	NATURE OF COVERAGE[1]	MEDICAL BOARDS	ONSET OF DISABILITY OR DEATH	TIME LIMIT ON CLAIM FILING	DEDUCTIONS FROM DEATH AWARDS	MEDICAL CARE	COMPENSATION[2]
WEST VIRGINIA	All diseases	Occupational Pneumoconiosis Board appointed by Commissioner determines medical questions.	Occupational pneumoconiosis is non-compensable absent 2 years continuous in-state exposure in 10 years before last exposure or 5 years cumulative in state exposure within 15 years before date of last exposure.	Within 3 years after knowledge or last exposure. Within 2 years after death.		Unlimited	Same as for accidents.
WISCONSIN	All diseases	May appoint independent medical expert in doubtful cases.		Unlimited. After 12 years claim may be filed with state fund.		Unlimited	Same as for accidents.
WYOMING	All diseases	Yes.		Within 1 year after diagnosis or 3 years after exposure, whichever is last. Radiation—within 1 year after diagnosis or death.	Disability payments.	Unlimited	Same as for accidents.
F.E.C.A.	All diseases			Within 3 years after injury, death, or disability and claimant knows/should know relation to employment; excusable.		Unlimited	Same as for accidents.
LONGSHORE ACT	All diseases			Within 1 year after injury, death, last payment, or knowledge of relation to employment.		Unlimited	Same as for accidents*
ALBERTA	All diseases	Independent medical board may be appointed to report on medical questions and extent of disability.		Within 1 year after injury or death; excusable. Silicosis—disablement or death following significant exposure.		Unlimited	Same as for accidents.
BRITISH COLUMBIA	All diseases	Medical review panel appointed by Lt.-Gov. in Council. Decision final as to medical evidence.		Within 1 year after disablement or death; excusable within 3 years*		Unlimited	Same as for accidents.
MANITOBA	All diseases	Medical or neurosis review panel reports on medical questions. Special panel for silicosis.		Within 1 year after injury or death. Silicosis—1 year after last exposure, if continuously exposed, within 2 years after exam free of disease.		Unlimited	Same as for accidents.
NEW BRUNSWICK	All defined industrial diseases			Within 1 year after injury or 6 months after death.		Unlimited	Same as for accidents.
NEWFOUNDLAND	All diseases	Committee of medical referees appointed by Commission.		Within 6 months after injury, disablement, or death.		Unlimited	Same as for accidents.
NORTHWEST TERRITORIES	All diseases	Board may require examination by impartial physician.		Disability—within 1 year after injury; excusable. Death—within 3 years after last employment and within 3 years after death.		Unlimited	Same as for accidents.
NOVA SCOTIA	All diseases	Board may appoint medical board to advise on silicosis and coal miner's pneumoconiosis cases.	Disablement or death within 1 year after last employment (no limit for radiation)	Within 6 months after injury or death. Silicosis or coal miner's pneumoconiosis—within 5 years after last employment and within 1 year after discovery of relation to employment; excusable but paid only from filing date.		Unlimited	Same as for accidents.
ONTARIO	All diseases			Within 6 months after injury or death; excusable.		Unlimited	Same as for accidents.
PRINCE EDWARD ISLAND	All industrial diseases		Disablement within 1 year after last exposure.	Within 6 months after injury or death.		Unlimited	Same as for accidents.
QUEBEC	All diseases in schedule*		Disablement within 1 year after last exposure.	Within 6 months after injury or death.		Unlimited	Same as for accidents except for silicosis or coalminer's pneumoconiosis.
SASKATCHEWAN		Medical panel issues final decision on disputed medical questions.	Disablement with 1 year after last exposure.	Within 6 months after injury or death.		Unlimited	Same as for accidents.
YUKON TERRITORY	All diseases	Disputes may be referred to 1 practitioner for decision.	Death—3 years after last exposure*	Disability—1 year after last exposure*		Unlimited	Same as for accidents.
CANADIAN MERCHANT SEAMEN'S ACT	All diseases	Disablement in the course of employment "otherwise than as a result of an accident" is compensated as for an accident.					

Longshore *In permanent partial disabilty claims due to occupational disease where times of injury occurs after retirement, compensation is 66⅔ of average weekly wage times percentage of permanent impairment (according to AMA guidelines) payable while impairment continues.

B.C. *After 3 years, compensation is payable only from date of filing.

Quebec *Certain illnesses are presumed caused by work exposure, as provided in schedule.

Yukon *Within 3 years after accident in just case if proof is filed with Commissioner.

CHART V OCCUPATIONAL HEARING LOSS January 1, 1985

JURISDICTION	SEPARATION FROM NOISE BEFORE FILING	MINIMUM EXPOSURE IN LAST EMPLOYMENT	LIABILITY FOR PRIOR LOSS	BENEFITS		DEDUCTION FOR PRESBYCUSIS	FAILURE TO USE PROTECTIVE DEVICE	COMPENSABLE LOSS OF HEARING (IN DB)	LOSS OF HEARING CONSIDERED TOTAL (IN DB)	CYCLES AT WHICH LOSS IS MEASURED
				Total Loss	One Ear					
DISTRICT OF COLUMBIA	6 months			200 weeks	52 weeks					
GEORGIA	6 months	90 days	No	150 weeks	proportionate		No compensation	over 15 (26 ANSI ISO)	82 (93 ANSI ISO)	500-1,000-2,000
ILLINOIS				200 weeks	100 weeks			over 30	85	1,000-2,000-3,000
IOWA	6 months	90 days	No	175 weeks	proportionate		No compensation	over 25 ANSI ISO	92 ANSI ISO	500-1,000-2,000-3,000
MAINE	30 days	90 days		200 weeks	50 weeks	Yes		over 15 ASA (25 ANSI)	82 ASA (92 ANSI)	500-1,000-2,000
MARYLAND		90 days	Implead prior employers			Yes		over 15	82	500-1,000-2,000
MISSOURI	6 months	90 days	No	148 weeks	40 weeks	Yes		over 15	82	500-1,000-2,000
MONTANA	6 months	90 days, 8 hours daily	No	200 weeks	40 weeks	Yes		over 25 ISO 64	92 ISO 64	500-1,000-2,000
NEW JERSEY	4 weeks	1 year, 3 days weekly during 40 weeks	No	200 weeks	proportionate	Yes	No compensation	over 20 ASA 51 (30 ANSI 69)		1,000-2,000-3,000
NEW YORK	3 months	Under 90 days presumed non-compensable	Implead prior employers	150 weeks	60 weeks	No		over 25 (ANSI 69)	92 (ANSI 69)	500-1,000-2,000-3,000
NORTH CAROLINA	6 months	90 days	No	150 weeks	proportionate		No compensation	over 15 (26 ANSI ISO)	82 (93 ANSI ISO)	500-1,000-2,000
NORTH DAKOTA				200 weeks	50 weeks	Yes		over 25 (ANSI)	92 (ANSI)	500-1,000-2,000-3,000
UTAH	6 months		No	100 weeks	proportionate	Yes		over 25 ANSI 69	92 ANSI 69	500-1,000-2,000-3,000
VIRGIN ISLANDS	6 months			180 weeks	120 weeks					
VIRGINIA								17 ASA	80 ASA	500-1,000-2,000
WEST VIRGINIA	NR	NR	Yes, unless prior loss has been reduced to award	260 weeks	100 weeks	No	No consequence	over 25 (ANSI 69)	92 (ANSI 69)	500-1,000-2,000-3,000
WISCONSIN	14 days	90 days	No	216 weeks	36 weeks					
LONGSHORE ACT			Last covered employer	200 weeks	52 weeks			over 25 (ANSI)	92 (ANSI)	500-1,000-2,000-3,000

PART 2
BENEFITS PROVIDED

Because workers' compensation imposes an absolute (but limited) liability upon the employer for employee disabilities caused by the employment, the benefits payable to the injured employee attempt to cover most of the worker's economic loss. This loss includes both loss of earnings and extra expenses associated with the injury.

Specifically, the benefits provided are:

- **Cash benefits,** which include both impairment benefits and disability benefits. The former are paid for certain specific physical impairments, while the latter are available whenever there is an impairment *and* a wage loss.
- **Medical benefits,** which are usually provided without dollar or time limits. In the case of most workplace injuries, only medical benefits are provided since substantial impairment or wage loss is not involved.
- **Rehabilitation benefits,** which include both medical rehabilitation and vocational rehabilitation for those cases involving severe disabilities.

CASH BENEFITS

In considering workers' compensation income or cash benefits—which replace employee loss of income or earning capacity due to occupational injury or disease—*four classifications of disability* are used: (1) temporary total, (2) permanent total, (3) temporary partial, and (4) permanent partial. Permanent partial is divided into "nonscheduled" and "scheduled" disabilities.

Most cases involve *temporary total disability.* That is, the employee—although totally disabled during the period when benefits are payable—is expected to recover and return to employment. *Permanent total disability* generally indicates that the employee is regarded as totally and permanently unable to perform gainful employment.

INCOME BENEFITS FOR PERMANENT AND TEMPORARY TOTAL DISABILITY: CHART VI

Income or cash benefits payable under either temporary total or permanent total disability are shown in Chart VI. For computing weekly benefit payments, a formula—expressed as a percentage of wage—is used. In most states limitations are placed on maximum and minimum benefits payable weekly; some states also limit the total number of weeks and total dollar amount of benefit eligibility. Where there is permanent total disability most states provide payments extending through the employee's lifetime.

For either temporary total or permanent total disability the wage-replacement percentage in each jurisdiction is the same. However, in permanent total disability cases the time limits tend to be longer and the total dollar amounts higher than in cases of temporary total disability. Some states provide additional amounts for dependents and other benefits. Allowances for dependents are charted as a range in the Maximum Weekly Payment and Notations columns.

PARTIAL DISABILITY

Most awards and the preponderance of dollars paid out as income benefits are either for temporary total or permanent partial disability. As partial disabilities involve current earnings or wage-earning ability, in many states weekly benefit payments for temporary or permanent *partial disabilities* of the "non-scheduled" type are based on a wage-loss replacement percentage. The percentage applies to the difference between wages earned before and after injury. In some states "non-scheduled" permanent partial disabilities are compensated as a percentage of the total disability cases.

INCOME BENEFITS FOR SCHEDULED INJURIES: CHART VII

Chart VII indicates maximum amounts payable in cases of "scheduled" injuries. Listed by law, these injuries involve loss—or loss of use of—specific body members, where wage loss based on nature of impairment is presumed. In most jurisdictions the actual amount payable is a specific number of weeks of benefits (based on the member involved) multiplied by the weekly benefit amount (based on earnings at time of injury).

The chart also indicates whether the "scheduled" award is in addition to any payment otherwise payable to the employee while he may be temporarily totally disabled (healing period). Some states limit the amount payable for such periods of temporary total disability.

The Canadian statutes do not provide schedules of specific injuries. Cases are decided individually using medical impairment ratings as guidelines.

SURVIVOR BENEFITS FOR FATAL INJURIES: CHART VIII

Benefits payable in the event of fatal injuries—comprising more than 14 percent of all total income benefits—are shown in Chart VIII. The benefits provided include a burial allowance as well as a proportion of the worker's former weekly wages.

Although death is the ultimate work-related tragedy, the economic loss associated with death cases is often less than that of a permanent total disability. Because of these considerations, death benefits are generally paid to the spouse until remarriage and to the children until a specified age. In addition, some laws provide a maximum benefit total expressed as a maximum period for the payment of benefits. Figures for one child only reflect compensation if sole survivor.

MEDICAL BENEFITS, WAITING PERIOD: CHART IX

Medical Benefits—amounting to about 30 percent of all workers' compensation benefits paid—are shown in Chart IX. In most instances unlimited medical benefits are provided either specifically by statute or by administrative discretion.

Choice of Physician—Practices vary with respect to choice of attending physician. States are divided nearly evenly between those that give this decision to the employer or the employee. In some states selection must be made from an approved list. The employer normally has the right to have his own physician conduct an examination.

Waiting Periods—Statutes provide that a waiting period must elapse during which income benefits are not payable. This waiting period affects only compensation; medical and hospital care are provided immediately. If disability continues for a certain number of days or weeks, most laws provide for payment of income benefits retroactive to the date of injury. Statutory provisions for waiting periods are summarized in Chart IX.

REHABILITATION BENEFITS: CHART X

Mutual interests of disabled employees and employers generally favor starting rehabilitation as soon as possible. Although rehabilitation is considered an integral part of complete medical treatment, its uses may extend beyond this (for example, where it includes vocational rehabilitation and retraining).

Specific rehabilitation provisions now in workers' compensation laws are outlined in Chart X. However, rehabilitation is provided in all states even if unspecified in the law. Maintenance allowance amounts and special fund sources to finance rehabilitation also are indicated.

Insurance carriers and many employers having medical departments are leaders in carrying on rehabilitation for the industrially injured. Likewise, many major industries have comprehensive programs for employment of the physically handicapped. Smaller industries maintain modified programs for placement of disabled individuals in congenial tasks. All of these private programs help employees and employers alike.

The Federal Vocational Rehabilitation Act is now effective in all states; it includes federal funds to aid states in vocational rehabilitation of the industrially disabled.

CHART VI INCOME BENEFITS FOR TOTAL DISABILITY January 1, 1985

JURISDICTION	PERCENT OF WAGES	MAXIMUM WEEKLY PAYMENT		MINIMUM WEEKLY PAYMENT		TIME LIMIT	AMOUNT LIMIT[2]	AUTOMATIC COST OF LIVING INCREASE	OFFSETS[3]	NOTATIONS
		AMOUNT	RATE	AMOUNT	RATE					
ALABAMA	66-2/3	$ 290.00	100% SAWW*	$80.00*	27.5% SAWW[1]*	Disability				Annual increase in maximum effective July 1.**
ALASKA	80% of spendable earnings	1,114.00	200% SAWW	110.00*		Disability			Social Security, unemployment compensation	Annual increase in maximum effective January 1.
AMERICAN SAMOA	66-2/3	205.00		40.00		Disability				Compensation increased 10% if installment without award unpaid after 14 days, 20% if installment following award unpaid after 10 days.
ARIZONA	66-2/3	203.86				TT—Disability PT—Life				Benefits payable monthly. Additional $10 monthly if 1 or more total dependents, not subject to maximum.
ARKANSAS	66-2/3	154.00*		15.00		TT—450 weeks PT—Disability	TT—69,300*		Unemployment compensation, Social Security	15% penalty for employer's violation of safety laws, payable to Second Injury Fund.**
CALIFORNIA	66-2/3	224.00		112.00		TT—Disability PT—Life		TT—after 2 years	Unemployment compensation, Social Security	50% increased compensation if injury due to employer's serious, willful misconduct.
COLORADO	66-2/3	315.98	80% SAWW			TT—Disability PT—Life			Social Security	Annual increase in maximum effective July 1. Compensation increased 50% if employer failed to comply with insurance provisions. Compensation decreased 50% if injury results from worker's failure to obey safety regulations or from intoxication.
CONNECTICUT	66-2/3	381.00 to 570.50	100% SAWW	76.20*	20% SAWW	Disability		October 1		Annual increase in maximum effective October 1. Additional $10 weekly per dependent child under 18, maximum 50% of basic benefit or 75% of wage (whichever is less). Compensation increased to 75% of wages if employer violated OSHA regulation.**
DELAWARE	66-2/3	231.63	66-2/3% SAWW	77.20[1]	20-2/9% SAWW[1]	Disability				Annual increase in maximum effective June 15.
DISTRICT OF COLUMBIA	66-2/3 up to 80% of spendable earnings*	413.26*	100% SAWW*	(+)	(+)	Disability		PT—October 1, maximum 5%*	Social Security, employer-funded pension	Annual increase in maximum effective January 1.*
FLORIDA	66-2/3	307.00	100% SAWW	20.00		TT-350 weeks PT-Disability	TT—$107,450		Unemployment compensation, Social Security	Annual increase in maximum effective January 1. Compensation increased 10% if installment unpaid after 14 days.*
GEORGIA	66-2/3	135.00		25.00[1]		Disability			——	Board may assess $500 penalty for refusal, unreasonable delay, or willful neglect to make payment.*
GUAM	66-2/3	140.00	66-2/3% SAWW	50.00[1]		Disability	40,000			Compensation increased 10% for late payment without award; 20% if award.
HAWAII	66-2/3	291.00	100% SAWW	TT—72.75* PT—72.75	TT—25% SAWW* PT—25% SAWW	Disability		PT—injuries prior to June 18, 1980		Annual increase in maximum effective January 1. Compensation may be increased 10% for failure to pay within 31 days after decision or award, or within 10 business days for uncontroverted temporary total disability case.
IDAHO	60	261.10 to 362.25	90% SAWW	130.05	45% SAWW	Disability		After 52 weeks		Annual increase in maximum effective January 1. For first 52 weeks benefit is 60% of worker's wages if there are no dependent children under 18; after 52 weeks benefit is 60% of SAWW. Benefit is increased 7% of SAWW per dependent child (up to 5), but may not exceed 90% of wages. 8% interest on late payments.
ILLINOIS	66-2/3	491.65	133-1/3% SAWW	TT—105.50* PT—184.37	PT—50% SAWW	TT—Disability PT—Life		PT—July 15 of 2nd year		Semiannual increases in maximum effective January 15 and July 15.**
INDIANA	66-2/3	166.00*		50.00[1]		500 weeks	83,000*			After 500 weeks, additional benefits are payable from second injury fund in 150-week increments.**
IOWA	80% of spendable earnings	580.00	200% SAWW			Disability				Annual increase in maximum effective July 1. Benefits increased 50% if late or stopped without good cause.
KANSAS	66-2/3	227.00	75% SAWW	25.00		Disability	TT—75,000 PT—100,000 (includes TT)			Annual increase in maximum effective July 1. Compensation may be increased up to $100 per week past due (plus up to $25 per week past due for failure to pay medical bill).
KENTUCKY	66-2/3*	304.80	100% SAWW	60.96[1]	20% SAWW[1]	Disability				Annual increase in maximum effective January 1. Compensation increased or decreased 15% if injury caused by safety violation. 12% interest on late payments.
LOUISIANA	66-2/3	248.00	75% SAWW*	66.00[1]	20% SAWW[1]	Disability			Social Security, unemployment compensation, employer-funded disability, federal workers' compensation	Annual increase in maximum effective September 1. 12% interest on late payments.

[1]Actual weekly wage if less.

[2]Amounts shown in italics have been calculated.

[3]Social Security offsets generally apply by formula up to 50% of basic benefit.

Ala. *Effective 2-1-85.
**Compensation may be increased up to 10% for failure to pay within 30 days after due.

Alaska *Spendable weekly earnings if less.

Ark. *Amounts over $75,000 are payable from Death and Permanent Total Disability Bank Fund.
**10% interest on late installments.

Conn. *80% of average weekly wages, if less.
**12% interest benefits added if undue delay in payment; 6% interest added if undue delay in adjustment (4 weeks presumed undue delay).

D.C. *Maximum is no less than $413.26; minimum is 25% SAWW or 80% of actual earnings if less. Benefits for D.C. government employees are similar to F.E.C.A. (effective 10-1-83, maximum—$654.58 to $736.41, minimum—$67.64 to $76.09).

Fla. *Compensation increased 20% if unpaid 30 days after award.

Ga. *Income payable without award increased 15% if not paid within 14 days unless claim is controverted or Board excuses. Awarded benefits increased 20% if not paid within 20 days unless Board grants review.

Hawaii *Actual wages if less, but no less than $38.

Ill. *Minimum TT benefit is $105.50 if unmarried and ranges up to $124.30 if 4 or more dependents. In all cases claimant receives actual weekly wage if less.
**TT benefits may be increased $10 per day, up to $2,500, for unreasonable delay in payment; 14 days is presumed unreasonable. Compensation may be increased 50% for unreasonable or vexatious delay in payment. Compensation may be increased 25% for employer's willful violation of safety standard.

Ind. *Effective 7-1-84.
**Award is increased 5% if employer loses on court appeal; court may increase to 10%.

Ky. *80% of AWW during rehabilitation.

CHART VI ☐ INCOME BENEFITS FOR TOTAL DISABILITY ☐ January 1, 1985 (continued)

JURISDICTION	PERCENT OF WAGES	MAXIMUM WEEKLY PAYMENT		MINIMUM WEEKLY PAYMENT		TIME LIMIT	AMOUNT LIMIT[2]	AUTOMATIC COST OF LIVING INCREASE	OFFSETS[3]	NOTATIONS
		AMOUNT	RATE	AMOUNT	RATE					
MAINE	66-2/3	$ 447.92	166-2/3% SAWW	$25.00		Disability		Anniversary (July 1 if maximum benefit)	Employer funded benefits	Annual increase in maximum effective July 1. Compensation may be increased 10% for failure to pay uncontroverted claim within 10 days.*
MARYLAND	66-2/3	327.00	100% SAWW	TT—50.00[1] PT—25.00[1]		Disability		(+)		Annual increase in maximum effective January 1. If permanent disability exceeds 50% of whole body, worker receives additional compensation from Subsequent Injury Fund after completion of payments by employer.
MASSACHUSETTS	66-2/3	341.06	100% SAWW	40.00*		Disability	TT—$85,265**			Annual increase in maximum effective October 1. Additional $6 weekly per dependent if total benefit does not exceed $150 or 100% of wages.***
MICHIGAN	80% of spendable earnings	358.00	90% SAWW	PT—99.00	PT—25% SAWW	Disability*		PT (injury prior to 1.1.82)	Disability unemployment compensation, pension, Social Security retirement**	Annual increase in maximum effective January 1. Additional $50 per day for award unpaid after 30 days, maximum $1,500.
MINNESOTA	66-2/3	329.00	100% SAWW	164.50*	50% SAWW*	Disability		Anniversary of injury	Social Security after $25,000 paid**	Annual increase in maximum effective October 1. Late payment may be increased 10% if inexcusably delayed, plus interest.
MISSISSIPPI	66-2/3	126.00*		25.00		450 weeks	56,700*			Additional rehabilitation allowance up to $10 weekly for 52 weeks.
MISSOURI	66-2/3	222.73*	70% SAWW	40.00		TT—400 weeks PT—Life	TT—89,092			Annual increase in maximum effective July 1. 8% interest for late payments.**
MONTANA	66-2/3	286.00	100% SAWW			Disability*			Social Security	Annual increase in maximum effective July 1. Compensation may be increased 20% if payment unreasonably delayed or refused.
NEBRASKA	66-2/3	200.00		49.00[1]		Disability				
NEVADA	66-2/3	324.66	100% SAWW			TT—Disability PT—Life			Social Security	Benefits payable monthly.* Annual increase in maximum effective July 1.
NEW HAMPSHIRE	66-2/3*	444.00	150% SAWW*	118.00[1]	40% SAWW[1]	Disability		July 1—after 3 years		Annual increase in maximum effective July 1. Double compensation if employer violated prior recorded safety standard.
NEW JERSEY	70	269.00	75% SAWW	72.00	20% SAWW	TT—400 weeks PT—Life	TT—107,600		Social Security	Annual increase in maximum effective January 1. After 450 weeks at reduced rate if employed, at full rate if not able to be rehabilitated.
NEW MEXICO	66-2/3	298.63	100% SAWW	36.00[1]		600 weeks	173,520			Annual increase in maximum effective January 1. 10% additional compensation payable by employer for failure to provide safety devices.
NEW YORK	66-2/3	275.00*		TT—20.00[1] PT—30.00[1]		Disability			Social Security	Persons receiving PT benefits may collect full compensation and wages, but not in excess of pre-injury wage base.**
NORTH CAROLINA	66-2/3	280.00	100% SAWW	30.00		TT—Disability PT—Life				Annual increase in maximum effective January 1.
NORTH DAKOTA	66-2/3	285.00 plus dependents	100% SAWW	171.00[1]	60% SAWW[1]	Disability			Social Security	Annual increase in maximum effective July 1. Additional $5 weekly per dependent child under 18; total benefits may not exceed claimant's net take-home pay.
OHIO	72—first 12 weeks 66-2/3—after 12 weeks	354.00	100% SAWW	TT—118.00[1] PT—177.00[1]	TT—33-1/3% SAWW[1] PT—50% SAWW[1]	TT—Disability* PT—Life			Employer funded benefits	Annual increase in maximum effective January 1, if PT benefit plus Social Security are less than $161.92 weekly. Disabled Workers' Relief Fund pays difference; amount increased annually by increase in Consumer Price Index.
OKLAHOMA	66-2/3	217.00	66-2/3% SAWW	30.00[1]		TT—300 weeks PT—Disability	TT—65,100			Annual increase in maximum effective November 1. TT may be extended to 500 weeks.
OREGON	66-2/3	324.23 to 349.23	100% SAWW	50.00*		Disability			PT—Social Security	Annual increase in maximum effective July 1. Additional $5 weekly per dependent (up to 5).**
PENNSYLVANIA	66-2/3	336.00	100% SAWW	168.00*	50% SAWW*	Disability				Annual increase in maximum effective January 1.
PUERTO RICO	66-2/3	TT—45.00 PT—28.86		TT—10.00 PT—11.54		TT—312 weeks PT—Life	TT—14,040 PT—$18,900*			Compensation doubled if due to employer's violation of safety or health law or regulation.
RHODE ISLAND	66-2/3	292.00 plus dependents	100% SAWW	30.00		Disability				Annual increase in maximum effective September 1. Additional $9 per dependent child under 18; total benefit may not exceed 80% of pre-injury wages.*
SOUTH CAROLINA	66-2/3	287.02	100% SAWW	25.00		500 weeks*	143,510*			Annual increase in maximum effective January 1.
SOUTH DAKOTA	66-2/3	247.00	100% SAWW	124.00[1]	50% SAWW[1]	TT—Disability PT—Life				Annual increase in maximum effective July 1.
TENNESSEE	66-2/3	136.00		15.00		TT—Disability PT—550 weeks*	54,400			After 400 weeks PT benefit is reduced to $15.

Maine *Carrier may be assessed up to $25 per day for failure to pay award within 10 days. Added benefits during rehabilitation—$35 weekly.

Md. *Benefits increased October 1 for persons injured any time during July 1, 1965, through June 30, 1978, and receiving PT benefits in July, 1973.

Mass. *Actual wages if less, but no less than $20 if working at least 15 hours a week.
**250 times SAWW; includes permanent partial disability.
***Double compensation if injury due to employer's serious and willful misconduct. If no benefits are paid prior to final decision of claim, award is based on benefits in effect at time of decision instead of date of injury.

Mich. *Conclusive presumption of PT disability does not extend beyond 800 weeks from injury, thereafter determined in accordance with facts.
**Benefits reduced 5% a year after age 65 unless claimant is receiving Social Security or employer-funded pension or disability insurance.

Minn. *Actual wages if less, but no less than 20% of SAWW, $65.80 through 9.30.85. After 208 weeks, total disability, supplementary benefits bring compensation to 65% of SAWW, $214.00 through 9.30.85.
**Other government disability benefits from same injury also offset.

Miss. *Effective 7.1.84. Increased to $133 as of 7.1.85 and $140 as of 7.1.86.

Mo. *Effective 9.28.83. Increased to 75% of SAWW, effective 9.28.86.
**Compensation increased 15% if injury caused by failure to comply with statute or order; decreased 15% if caused by worker's failure to use safety device.

Mont. *Compensation terminates upon receipt of Social Security retirement benefits.

Nevada *Maximum monthly wages on which benefits are computed are $2,117.31, effective 7.1.84.

N.H. *Effective 8.22.83.

N.Y. *Effective of 7.1.84. Increased to $300 as of 7.1.85.
**Wage base at time of earning (150% of maximum payable).

Ohio *After 200 weeks claimant examined to determine if disability is permanent.

Ore. *90% of actual wages, if less.
**Employer may be sued for damages for failure to comply with posted notice of violation of safety code.

Pa. *90% of wages if less, but no less than 33-1/3% of SAWW ($112.00, effective 1.1.85).

P.R. *May be paid in monthly installments of $100 to $125 for life.

R.I. *No compensation for PT disability if worker is earning pre-injury wages.

S.C. *Person who is para or quadraplegic or has suffered brain damage shall receive PT benefits for life. Commission may not order lump sum payment in such cases.

Tenn. *From date injury is determined to be permanent.

CHART VI ☐ INCOME BENEFITS FOR TOTAL DISABILITY ☐ January 1, 1985 (continued)

JURISDICTION	PERCENT OF WAGES	MAXIMUM WEEKLY PAYMENT		MINIMUM WEEKLY PAYMENT		TIME LIMIT	AMOUNT LIMIT[2]	AUTOMATIC COST OF LIVING INCREASE	OFFSETS[3]	NOTATIONS
		AMOUNT	RATE	AMOUNT	RATE					
TEXAS	66-2/3	$ 203.00	(**)	$35.00	(**)	401 weeks*	$81,403			Annual increase in maximum effective September 1.**
UTAH	66-2/3	TT—310.00 PT—264.00	TT—100% SAWW PT— 85% SAWW	45.00[1]		Disability*			Social Security	Annual increase in maximum effective July 1. Additional $5 if spouse, plus $5 per dependent child under 18 (up to 4); total benefit may not exceed maximum.*
VERMONT	66-2/3	278.00 plus dependents	100% SAWW	139.00[1]	50% SAWW[1]	Disability*		July 1		Annual increase in maximum effective July 1. Additional $10 per dependent child under 21; total benefits may not exceed pre-injury wages.**
VIRGIN ISLANDS	TT—66-2/3* PT—75	183.00*	66-2/3% SAWW*	60.00[1]*		Disability		After 2 years on January 1		Annual increase in maximum effective January 1. Total disability benefits begin after medical and vocational rehabilitation end. Compensation increased 15% for injury caused by employer's failure to obey safety order.*
VIRGINIA	66-2/3	295.00	100% SAWW	73.75*	25% SAWW[1]	TT—500 weeks PT—Disability*	TT—147,500	October 1**		Annual increase in maximum effective July 1. Compensation increased 20% for failure to pay within 2 weeks after due.
WASHINGTON	60 to 75, depending on conjugal status	256.38	75% SAWW	42.69*		Disability		July 1	Social Security under age 65	Benefits payable monthly. Annual increase in maximum effective July 1. 60% of wage, additional 5% of wages for spouse, plus 2% of wages per dependent child (up to 5); up to maximum.
WEST VIRGINIA	70	321.30	100% SAWW	107.10	33 1/3% SAWW	TT—208 weeks PT—Life	TT—66,830			All but TT benefits payable monthly. Annual adjustment in maximum effective July 1.
WISCONSIN	66-2/3	301.00	100% SAWW	30.00		TT—Disability PT—Life			Social Security	Annual increase in maximum effective January 1.*
WYOMING	TT—66-2/3	TT—347.27 PT—231.51 plus dependents	TT—100% SAWW PT—66-2/3% SAWW	TT—180.00 PT—231.51	PT—66-2/3% SAWW	TT—Disability PT—Life	(+)			Benefits payable monthly. Quarterly increases in maximum effective January 1, April 1, July 1, and October 1. PT benefit fixed at 66-2/3% of SAWW plus $100 per child monthly.
F.E.C.A.	66-2/3 or 75	979.90	66-2/3% or 75% of highest rate for GS-15	150.46[1]	66-2/3% or 75% of lowest rate for GS-2[1]	TT—Disability PT—Life		October 1	(*)	Benefits payable monthly. Increase effective 1.6.85. Higher percentage payable if 1 or more dependent.
LONGSHORE ACT	66-2/3	579.66*	200% NAWW*	144.92[1]*	50% NAWW[1]*	Disability		PT—October 1	Jones Act, other workers compensation benefits	Annual increase in maximum effective October 1.
ALBERTA	90% of weighted net income	509.01		155.34[1]		TT—Disability PT—Life				PT payable monthly. Maximum annual earnings is $40,000.
BRITISH COLUMBIA	75	466.02	(*)	189.26[1]		TT—Disability PT—Life		January 1 and July 1		PT payable monthly. Maximum annual earnings $32,400. Annual increase in maximum effective January 1.*
MANITOBA	75	418.27	(*)	TT—136.16[1] PT—136.16		TT—Disability PT—Life				PT payable monthly. Maximum annual earnings $29,000. Annual increase in maximum effective January 1.*
NEW BRUNSWICK	90% of weighted net income	371.10 to 403.06*	150% of provincial average wage		Can. Pension Disability Benefits	TT—Disability PT—Life			Can Benefits Disability Benefits	PT payable monthly. Maximum annual earnings is $29,400. Annual increase in maximum effective January 1.
NEWFOUNDLAND	90% of weighted net income	587.82	250% of provincial average wage	200.00*		to age 65**				PT payable monthly. Maximum annual earnings $45,500, effective 1.1.83. Board may raise compensation as it deems equitable.
NORTHWEST TERRITORIES	75	380.77		167.54[1]		TT—Disability PT—Life				Benefits payable monthly. Maximum annual earnings $26,400.
NOVA SCOTIA	75	346.15 plus dependents		125.50*		TT—Disability PT—Life		January 1		PT payable monthly. Maximum annual earnings $24,000, effective 1.1.82. Additional $33.00 weekly per child; total benefit may exceed maximum.
ONTARIO	75	386.54		188.00[1]		TT—Disability PT—Life		TT—after 12 months		PT payable monthly. Maximum annual earnings $26,800, effective July 1, 1984.
PRINCE EDWARD ISLAND	75	245.19		60.00*		TT—Disability PT—Life				PT payable monthly. Maximum annual earnings $17,000, effective January 1, 1983.
QUEBEC	90% of weighted net income	381.16 to 421.79	150% of provincial average wage	35.00[1]		TT—Disability PT—Life		January 1		PT payable monthly. Maximum annual earnings $33,000. Annual increase in maximum effective January 1.
SASKATCHEWAN	75	475.96	(**)	194.72*		TT—Disability PT—Life			Canada Pension after 1 year	PT payable monthly. Maximum annual earnings $33,000, effective 1.1.84. After 2 years disability, an amount equal to 10% of compensation is set aside to purchase annuity for benefits after age 65.**
YUKON TERRITORY	75	409.92	(*)	127.00[1]*		TT—Disability PT—Life		January 1		Maximum annual earnings $28,500. Annual increase in maximum effective January 1.*
CANADIAN MERCHANT SEAMEN'S ACT	75	393.04		124.00		TT—Disability PT—Life				Benefits payable monthly. Maximum annual earnings $29,250. Gov.-in-Council may raise benefits to level paid in maritime provinces.

Texas *For life in case of amputation or paralysis of two limbs, loss of vision in both eyes, or permanent insanity.
**Maximum increased $7 and minimum increased $1 per $10 increase in SAWW.

Utah *Disability beyond 312 weeks is payable from Second Injury Fund; minimum $110 weekly.

Vt. *PT benefits payable at least 330 weeks, after temporary disability benefits cease. After 330 weeks, PT benefits continue while there is lost earning capacity.
**Benefits may be disallowed if injury results from worker's failure to use safety device.

V.I. *During vocational rehabilitation, income benefits are 75% of AWW, maximum SAWW, minimum $75 or actual wages if less.

Va. *500-week limit for certain PT cases.
**Recipient of Social Security ineligible for cost of living increases.

Wash. *Plus $8.53 for first child, $7.15 for second child, $5.30 each for third through fifth children, and $6.92 for spouse.

Wisc. *Compensation may be adjusted up or down by 15% (up to $15,000) for failure to use safety device or obey code or order. 10% interest payable on late payments. Employer, insurer, or both may be assessed penalty up to double the amount of compensation (not to exceed $15,000) for bad faith failure to make payments.

Wyo. *Court must approve PT payments after $59,498.07 (257 times 66-2/3% SAWW).

F.E.C.A. *Civil Service Retirement and Disability Fund (CSRA) overpayments.

Longshore *Effective 9-29-84. Nonappropriated Fund Instrumentalities Act employees subject to same maximum minimum weekly rates as employees covered under Longshore Act.

Alta. *Employer must pay half of costs of the claim to Accident Fund if injury caused by safety violation.

B.C. *On application for review. Board may award benefits based on current levels.

Man. *Maximum earning ceiling increased by $1,000 if 10% of workers injured in preceding year earn in excess of maximum.

N.B. *Annual review of maximum. Lower figure for single, higher figure for married claimant with 2 children.
**If 63 or older at time of loss, maximum is 2 years.

Nfld. *100% of weighted net earnings if less.

N.S. *Minimum for temporary total disability is 75% of minimum wage.

Ont. *No less than award if worker had been fatally injured.

P.E.I. *Actual wages if less, but Board may set minimum at $15.

Sask. *Actual wages if less for first 2 years' disability.
**Maximum earning ceiling increased by $1,000 if 10% of workers injured in preceding year earn in excess of maximum.

Yukon *Benefits increased annually based on Consumer Price Index, and based on 90% of territory's average wage, effective January 1. Minimum for 1984 unavailable at time of publication.

CHART VII — INCOME BENEFITS FOR SCHEDULED INJURIES — January 1, 1985

JURISDICTION	ARM AT SHOULDER	HAND	THUMB	FIRST FINGER	SECOND FINGER	THIRD FINGER	FOURTH FINGER	LEG AT HIP	FOOT	GREAT TOE	OTHER TOES	ONE EYE	HEARING ONE EAR	HEARING BOTH EARS
IN THIS GROUP OF STATES, COMPENSATION FOR TEMPORARY DISABILITY IS ALLOWED IN ADDITION TO ALLOWANCE FOR SCHEDULED INJURY														
ALABAMA*	$48,840	$37,400	$13,640	$ 9,460	$ 6,820	$ 4,840	$ 3,520	$44,000	$30,580	$ 7,040	$ 2,420	$27,280	$11,660	$35,860
ALASKA*	59,000	45,400	14,000	8,700	5,700	4,700	2,800	54,400	39,700	7,200	3,000	30,200	9,800	37,800
AMERICAN SAMOA	PPD benefits paid at 66-2/3% of wages for specified number of weeks, no maximum.*													
ARIZONA*	43,725	36,437	10,931	6,559	5,101	3,644	2,915	36,437	29,150	5,101	1,822	*21,862*	14,575	43,725
ARKANSAS*	30,800	23,100	9,240	5,390	4,620	3,080	2,310	26,950	19,250	4,620	1,540	15,400	6,160	23,100
CALIFORNIA*	*58,975***	43,540	7,595	3,360	3,360	2,520	2,520	*64,575***	33,740	4,235	840	21,105**	6,335	43,540
COLORADO*	17,472	8,736	4,200	2,184	1,512	924	1,092	17,472	8,736	2,184	924	11,676	2,940	11,676
CONNECTICUT*	*118,872*	*96,012*	36,195	20,574	16,764	11,811	9,906	90,678	75,438	16,002	4,953	89,535	19,812	59,436
DELAWARE	57,908	50,959	17,372	11,582	9,265	6,949	4,633	57,908	37,061	9,265	3,474	46,326	17,372	40,535
DISTRICT OF COLUMBIA*	128,937	100,835	30,995	19,010	12,398	10,332	6,199	119,019	84,718	12,398	6,613	66,122	21,490	82,652
FLORIDA	No schedule. Benefits paid according to degree of impairment and loss of earnings.*													
GEORGIA	30,375	21,600	8,100	5,400	4,725	4,050	3,375	30,375	18,225	4,050	2,700	16,875	8,100	20,250
GUAM	39,200	29,680	7,140	3,920	2,520	2,380	980	34,720	24,220	3,640	1,120	19,600	7,280	28,000
HAWAII*	90,792	71,004	21,825	13,386	8,730	7,275	4,365	83,808	59,655	11,058	4,656	*46,560*	15,132	58,200
IDAHO*	47,685	42,917	17,485	11,127	8,742	3,974	2,384	31,790	22,253	6,676	1,113	*27,816*	—	27,816
ILLINOIS*	115,538	93,414	34,416	19,666	17,208	12,291	9,833	98,330	76,206	17,208	5,900	78,664	14,681	58,722
IOWA*	133,250	101,270	31,980	18,655	15,990	13,325	10,660	117,260	79,950	21,320	7,995	74,620	26,650	93,275
MAINE	89,584	73,907	22,396	14,333	12,542	8,958	7,615	89,584	73,907	11,198	4,479	44,792	22,396	89,584
MARYLAND*	87,200	72,594	10,900	4,360	3,815	3,270	2,725	87,200	72,594	4,360	1,090	72,594	13,625	72,594
MASSACHUSETTS*	*11,140*	*8,675*	—	—	—	—	—	9,900	7,425	—	—	9,900	7,425	19,800
MICHIGAN*	96,302	76,970	23,270	13,604	11,814	7,876	5,728	76,970	57,996	11,814	3,938	57,996	(**)	(**)
MINNESOTA	No schedule. Benefits paid according to degree of impairment and loss of earnings.*													
MISSISSIPPI	25,200	18,900	7,560	4,410	3,780	2,520	1,890	22,050	15,750	3,780	1,260	12,600	5,040	18,900
MISSOURI*	33,220	25,058	8,591	6,444	5,012	5,012	3,150	*29,640*	21,479	5,728	2,005	20,047	6,300**	24,056**
MONTANA*	40,040	28,600	10,725	5,720	5,291	3,575	2,145	*42,900*	25,740	5,291	2,228	23,595	5,720	28,600
NEBRASKA*	45,000	35,000	12,000	7,000	6,000	4,000	3,000	43,000	30,000	6,000	2,000	25,000	10,000	(**)
NEVADA	No schedule. Degree of disability determined in relation to whole man.*													
NEW HAMPSHIRE	93,240	83,916	33,744	20,868	16,872	8,436	3,996	62,160	43,512	7,992	1,332	37,296	13,320	54,612
NEW JERSEY*	65,010	39,445	5,400	3,600	2,880	2,160	1,440	62,055	32,890	2,880	1,080	25,000	4,320	25,000
NEW MEXICO	*59,726*	*37,329*	16,425	8,362	6,570	5,077	4,181	*59,726*	34,342	10,452	4,181	38,822	11,945	44,795
NORTH CAROLINA	67,200	56,000	21,000	12,600	11,200	7,000	5,600	56,000	40,320	9,800	2,800	33,600	19,600	42,000
NORTH DAKOTA*	*18,750*	*15,000*	*4,875*	*3,000*	*2,250*	*1,500*	*1,200*	14,040	9,900	1,900	720	9,000	3,000	12,000
OHIO*	39,825	30,975	10,620	6,195	5,310	3,540	2,655	35,400	26,550	5,310	1,770	22,125	4,425	22,125
OREGON*	19,200	15,000	4,800	2,400	2,200	1,000	600	15,000	13,500	1,800	400	10,000	5,000	19,200
PUERTO RICO*	10,000	9,000	3,375	1,800	1,350	1,125	675	10,000	7,875	1,350	675	(**)	2,250	9,000
RHODE ISLAND*	28,080	21,960	6,750	4,140	2,700	2,250	1,800	28,080	18,450	3,420	900	14,400	5,400	18,000
SOUTH CAROLINA	63,144	53,099	18,656	11,481	10,046	7,176	5,740	55,969	40,183	10,046	2,870	31,572	*22,962*	47,358
SOUTH DAKOTA	49,400	37,050	12,350	8,645	7,410	4,940	3,705	39,520	30,875	7,410	2,470	37,050	12,350	37,050
TENNESSEE	27,200	20,400	8,160	4,760	4,080	2,720	2,040	27,200	17,000	4,080	1,360	13,600	10,200	20,400
UTAH*	38,522	34,608	13,802	8,652	7,004	3,502	1,648	25,750	18,128	5,356	*824*	*24,720*	3,434**	20,600
VERMONT*	59,770	48,650	13,900	8,896	6,950	5,560	3,336	59,770	48,650	6,950	2,780	34,750	14,456*	59,770
VIRGINIA*	59,000	44,250	17,700	10,325	8,850	5,900	4,425	51,625	36,875	8,850	2,950	29,500	14,750	29,500
VIRGIN ISLANDS*	40,260	32,940	14,640	14,640	14,640	14,640	13,725	32,940	21,960	14,640	13,725**	35,685	21,960	32,940
WASHINGTON*	36,000	32,400	12,960	8,100	6,480	3,240	1,620	36,000	25,200	7,560	2,780	14,400	4,800	28,800
WEST VIRGINIA*	51,408	42,840	17,136	8,568	5,998	4,284	4,284	51,408	29,988	8,568	3,427	28,274	21,420	55,692
WISCONSIN*	54,000	43,200	17,280	6,480	4,860	2,808	3,024	54,000	27,000	9,000	2,700**	*29,700*	5,940***	35,640***
WYOMING*	34,727	28,244	10,186	6,714	3,473	3,473	3,473	34,727	23,151	4,630	1,621	21,762	9,260	—
F.E.C.A.*	305,729	239,096	73,493	45,075	29,397	24,498	14,699	282,211	200,880	37,236	15,678	156,784	50,955	195,980
LONGSHORE ACT	180,854	141,437	43,475	26,664	17,390	14,492	8,695	166,942	118,830	17,390	9,275	92,746	30,142	115,932
IN THIS GROUP OF STATES, COMPENSATION FOR TEMPORARY DISABILITY IS ALLOWED IN ADDITION TO SCHEDULED INJURY WITH CERTAIN LIMITATIONS AS TO PERIOD														
INDIANA*	18,750	15,000	4,500	3,000	2,625	2,250	1,500	16,875	13,125	4,500	2,250**	13,125	5,625	15,000
KANSAS*	47,670	34,050	13,620	8,399	6,810	4,540	3,405	45,400	28,375	6,810	2,270	27,240	6,810	24,970
NEW YORK*	42,120	32,940	10,125	6,210	4,050	3,375	2,025	38,880	27,675	5,130	2,160	21,600	8,100	20,250
PENNSYLVANIA*	137,760	112,560	33,600	16,800	13,440	10,080	9,408	137,760	84,000	13,440	5,376	92,400	20,160	87,360
IN THIS GROUP OF STATES, COMPENSATION FOR TEMPORARY DISABILITY IS DEDUCTED FROM THE ALLOWANCE FOR SCHEDULED INJURY														
KENTUCKY	No schedule. PF benefits paid at 66-2/3% of wages up to 425 weeks according to degree of disability.***													
LOUISIANA*	49,600	37,200	12,400	7,440	4,960	4,960	4,960	43,400	31,000	4,960	2,480	24,800	—	—
OKLAHOMA*	40,750	32,600	9,780	5,705	4,890	3,260	2,445	40,750	32,600	4,890	1,630	32,600	16,300	48,900
TEXAS	40,600	30,450	12,180	9,135	6,090	4,263	3,045	40,600	25,375	6,090	2,030	20,300	—	30,450

NOTE—Amounts in chart reflect maximum potential entitlement. In Canada, permanent physical impairments generally are compensated by degree of disability using medical rating schedules as guidelines.
Numbers in italics are computations for "loss of major member, loss of leg precluding use of artificial limb, or loss of eye by enucleation."

CHART VII ☐ INCOME BENEFITS FOR SCHEDULED INJURIES ☐ January 1, 1985 (continued)

Ala. *Effective 2.1.85, maximum weekly PP benefit is lesser of $220 or 100% SAWW.

Alaska *Maximum dollar amount fixed by statute.

Am. Samoa *Arm—312; hand—244; thumb—75; first finger—46; second finger—30; third finger—25; fourth finger—15; leg—288; foot—205; great toe—30; other toes—16; one eye—160; one ear—52; both ears—200.

Ariz. *PP benefit is 55% of monthly compensation up to $1,325 (= $168.01 weekly).

Ark. *Maximum amount for PP is $63,000.

Calif. *Maximum PP benefit is $140.00, effective 1.1.84. Duration varies according to percentage of permanent disability, adjusted for age and occupation. Chart reflects standard rating for individual age 39 and loss of major arm.
**Chart reflects benefits for loss of eye if unable to wear artificial eye. Life pension up to $64.21 weekly also payable for loss of arm or leg.

Colo. *Maximum weekly benefit is $84.

Conn. *Commission may award additional benefits based on loss of earnings.

D.C. *Effective 7.26.82.

Fla. *Permanent impairment caused by amputation, loss of 80% of vision in either eye after correction, or serious facial disfigurement—$250 per 1% of disability up to 10%, and $500 per 1% of disability over 10%. Wage-loss benefits also payable in all permanent impairment cases—95% of difference between 85% of pre-injury wages and earnings after maximum medical improvement, up to 100% of SAWW weekly. Social Security retirement benefits are deducted from wage loss benefits.

Hawaii *In cases in which the disability is determined as a percentage of total loss or impairment of physical or mental function of the whole man, the maximum compensation is the corresponding percentage of 312 times SAWW (= $90,792 effective 1.1.84.

Idaho *Maximum weekly PP benefit is 55% of SAWW (= $158.95 for 1985).

Ill. *Effective January 15. Figures reflect benefits for amputation of member—maximum 133-1/3% of SAWW. For other PP benefits, wage replacement rate is 60% and maximum is $293.61 from 7.1.84-6.30.87, and thereafter increased by percentage increase in SAWW. Increase effective 1.15.85 not available at date of publication.

Ind. *Payable for 52 weeks; maximum weekly PP benefit is $75.
**Second toe—$2,250; third toe—$1,500; fourth toe—$1,125; fifth toe—$750.

Iowa *Maximum weekly PP benefit is 184% of SAWW (= $533.00).

Kan. *Additional healing period up to 15 weeks may be allowed. Maximum weekly PP benefit is 75% of SAWW.

Ky. *Maximum weekly PP benefit is 75% of SAWW (= $228.60). Degree of disability is determined by American Medical Association Guide or decrease in earning capacity, whichever is greater.
**Since 1980, an employee sustaining work-related hearing loss is entitled to either functional loss to the body as a whole or occupational disability, whichever is greater. Hearing loss claims receive same treatment as occupational diseases and injuries, with a final determination by the Board as to degree of disability.

La. *Schedule applies to amputation or at least 50% loss of use. Supplemental earnings benefits are 74% of the difference between 90% of pre-injury wages and post-injury earnings, minimum 104 and maximum 520 weeks; cease 2 years after termination of temporary total disability (unless paid for 13 consecutive weeks during that time) or upon retirement or receipt of Social Security retirement benefits.

Md. *Maximum weekly PP benefit is 33-1/3% of SAWW (= $109.00), where benefits are payable for 250 weeks or more, the number of weeks are increased by 1.3, and maximum is 66-2/3% of SAWW (= $218.00).

Mass. *Benefits fixed at amount reflected in chart. Proportional benefits for functional loss of use of arm, hand, leg, or foot.

Mich. *Wage-loss benefits payable for life.
**Hearing loss compensable based on lost earnings.

Minn. *For permanent partial disability, impairment compensation (IC) is paid in lump sum if take job. If no job offer made, economic recovery compensation (ER) is paid weekly. IC equals scheduled dollar amount ($75,000 to $400,000) times percent whole body disability. ER equals percent disability times scheduled number of weeks (600 to 1200 weeks) times weekly TT rate.

Mo. *Maximum weekly PP benefit is 45% of SAWW ($143.19 effective 7.1.84); minimum is $40. If amputation or 100% loss of use, additional 10% compensation.
**Occupational hearing loss law provides benefits up to 40 weeks (1 ear) or 148 weeks (both ears).

Mont. *Maximum weekly PP benefit is 50% of SAWW (= $143.00, effective 7.1.84). Claimant may elect schedule or wage-loss indemnity.

Neb. *Terms run consecutively for loss of, or loss of use of, more than 1 member but less than total disability.
**Permanent total loss of hearing is compensated as permanent total disability.

Nev. *Each 1% of impairment is compensated by .6% of worker's monthly wage up to maximum, payable for 5 years or until age 66 (rising 1 year annually until age 70 beginning 7.1.86), whichever is later. Maximum monthly wages are $2,117.31 as of 7.1.84.

N.J. *Computations include allowance for amputation of member (30% additional compensation). Compensation is payable weekly at 70% of pre-injury weekly wages, up to a maximum of 55% of SAWW for arm or leg, 45% of SAWW for hand, 40% of SAWW for foot or one eye, 35% of SAWW for hearing—both ears, 20% of SAWW for other scheduled injuries in chart.

N.Y. *Additional weeks for TT in excess of statutory healing period; maximum $135 weekly. Maximum increased to $150 as of 7.1.85. Compensation for wage-loss in addition to schedule if impairment due to loss of 50% or more of member.

N.D. *PP benefit is $60 weekly for scheduled number of weeks.

Ohio *Maximum weekly PP benefit is 50% of SAWW (= $177.00 for 1985). Compensation payable for 200 weeks if percentage of disability is 90% or greater.

Okla. *Maximum PP benefit is 50% of SAWW (= $163.00 effective 11.1.84).

Ore. *Calculated at $100 per degree of injury.

Pa. *Healing period is 25 weeks for leg or foot; 20 weeks for an arm or hand; 12 weeks for great toe; 10 weeks for thumb, eye, or hearing; 6 weeks for finger or toe.

P.R. *Maximum PP benefit is $45 weekly.
**Permanent visual disability is compensated according to percentage of total disability, in addition, loss of eye by enucleation is compensated at 10% of permanent total disability.

R.I. *Maximum scheduled PP benefit is $90.00 weekly. Maximum is 100% of SAWW for unscheduled injury.

Utah *Maximum per week, including allowance for dependents, is 66-2/3% of SAWW (= $206 effective 7.1.84).
**Entry presumes total loss of hearing in one ear and no loss of hearing in the other (16-2/3 weeks). Benefits are based on the percentage of binaural hearing loss, adjusted for claimant's age.

Vt. *In addition to TT except for loss of hearing in 1 ear.

Va. *Benefits for scheduled injuries are payable in addition to compensation for temporary disability. *County of Spotsylvania v. Hart*, 218 Va. 565, 238 S.E.2d 813 (1977). After expiration of scheduled award, claimant may file for further benefits within 1 year if still incapacitated.

V.I. *PP benefit is 66-2/3% of SAWW weekly (= $183.00 effective 1.1.85).
**For loss of two or more digits or one or more phalanges of two or more digits on a hand or foot, benefits may be proportioned to the loss of use of the hand or foot.

Wash. *Benefits fixed at amount reflected in chart. 25% less for disability not involving amputation.

W.Va. *PP benefit is 70% of wages, payable in 4-week periods per 1% of disability up to 85%, which is considered PT. Maximum is 66-2/3% of SAWW (= $214.20 effective 7.1.84).

Wis. *Maximum weekly PP benefit is $108 effective 1.1.85.
**Second toe—$2,700; other toe—$2,160.
***Under occupational hearing loss law, maximum is $3,600.36 weeks for one ear and $21,600.216 weeks for both ears, as of 1.1.83.

Wyo. *PP benefit is 66-2/3% of SAWW.

F.E.C.A. *Includes allowance for dependents.

CHART VIII FATALITIES—INCOME BENEFITS FOR SPOUSE AND CHILDREN January 1, 1985

JURISDICTION	PERCENT OF WAGES			MAXIMUM WEEKLY PAYMENT		MINIMUM PER WEEK SPOUSE ONLY	TIME LIMIT	AMOUNT LIMIT[1]		MAXIMUM BURIAL ALLOWANCE
	SPOUSE PLUS CHILDREN	SPOUSE ONLY	ONE CHILD ONLY	SPOUSE PLUS CHILDREN	SPOUSE ONLY			SPOUSE PLUS CHILDREN	SPOUSE ONLY	
ALABAMA	66-2/3	50	50	$ 290.00*	$ 290.00*	$80.00*	500 weeks[2,3]	$145,000	$145,000	$1,000
ALASKA	80% of spendable earnings	80% of spendable earnings	80% of spendable earnings	1,114.00*	1,114.00*	110.00	(2,4,**)			2,500
AMERICAN SAMOA	66-2/3	35	35	70.00	36.75	5.25[5]	(2,4)			1,000
ARIZONA	66-2/3	35	25	203.86	107.00		(2,4)			1,000
ARKANSAS	66-2/3	35	50	154.00	154.00	15.00	(2,4)	(-)	(-)	750
CALIFORNIA	66-2/3	66-2/3	66-2/3	224.00	224.00	112.00	(3)	95,000	70,000	1,500
COLORADO	66-2/3	66-2/3	66-2/3	315.98*	315.98*	79.00*	(2,4,**)			1,000
CONNECTICUT	66-2/3	66-2/3	66-2/3	381.00*	381.00*	76.20*	(2,3)			3,000
DELAWARE	80	66-2/3	66-2/3	277.96*	231.63*	77.20*	(2,4)			700**
DISTRICT OF COLUMBIA	66-2/3	50	50	413.26*	413.26*	(-)	(2,4)			1,000
FLORIDA	66-2/3	50	33-1/3	307.00*	307.00*	20.00[6]	(2,3)	100,000	100,000	2,500
GEORGIA	66-2/3	66-2/3	66-2/3	135.00	135.00	25.00[6]	400 weeks[2,3]	54,000	32,500	1,500
GUAM	66-2/3	35	35	140.00	73.50	31.50*	(2,4)	40,000	40,000	1,200
HAWAII	66-2/3	50	40	291.00*	218.25*	72.75*	(2,4)	(--)	(--)	ll,365***
IDAHO				173.40*	130.05*	130.05*	500 weeks[2]	86,700	65,025	1,500[7]
ILLINOIS	66-2/3	66-2/3	66-2/3	491.65*	491.65*	184.37*	20 years[2,4,**]	(--)	(--)	1,750
INDIANA	66-2/3	66-2/3	66-2/3	166.00*	166.00*	50.00[6]	500 weeks[2,4]	83,000*	83,000*	2,000*
IOWA	80% of spendable earnings	80% of spendable earnings	80% of spendable earnings	580.00*	580.00*		(2,4)			1,000
KANSAS	66-2/3	66-2/3	66-2/3	227.00*	227.00*	25.00	(2,5)	100,000	100,000	3,200
KENTUCKY	75	50	50	228.60*	152.40*	60.96*	(2,4)			2,500[7]
LOUISIANA	65	32-1/2	32-1/2	248.00*	248.00*	66.00*	(2,4)			3,000
MAINE[8]	66-2/3	66-2/3	66-2/3	447.92*	447.92*	25.00	(2,3)			1,000
MARYLAND	66-2/3	66-2/3	66-2/3	327.00*	327.00*	25.00[6]	(2,4)			1,200**
MASSACHUSETTS	66-2/3*	66-2/3*	66-2/3*	341.06*	341.06*	150.00*	(2,4,**)	(--)	(--)	2,000
MICHIGAN	80% of spendable earnings	80% of spendable earnings	80% of spendable earnings	358.00*	358.00*	199.00*	500 weeks[2,6,**]	(--)	179,000*	1,500
MINNESOTA***	66-2/3	50	60	329.00*	329.00*		(2,**)			2,500
MISSISSIPPI[9]	66-2/3	35	25	126.00*	126.00*	25.00	450 weeks[2]	56,700**	56,700**	2,000
MISSOURI	66-2/3	66-2/3	66-2/3	222.73*	222.73*		(2,4,**)			2,000
MONTANA	66-2/3	66-2/3	66-2/3	286.00*	286.00*	143.00*	(2,4)			1,400
NEBRASKA	75	66-2/3	66-2/3	200.00	200.00	49.00[6]	(2,4)			2,000
NEVADA	66-2/3	66-2/3	66-2/3	324.66*	324.66*		(2,4)			2,500[7]
NEW HAMPSHIRE	66-2/3	66-2/3	66-2/3	444.00*	444.00*	116.00*	(2,**)			3,000
NEW JERSEY	70	50	50	269.00*	269.00*	72.00*	(2,3,**)			2,000
NEW MEXICO	66-2/3	66-2/3	66-2/3	298.63*	298.63*	36.00	600 weeks[2,4]	179,178	179,178	1,500
NEW YORK	66-2/3	66-2/3	66-2/3	275.00**	275.00**	30.00	(2,4,*)			1,500

[1]Amount limits have been computed where not stipulated by law and are shown in italics. Disability payments deducted in all laws, except those of Arizona, Arkansas, California, Delaware, District of Columbia, Florida, Michigan, Mississippi, Missouri, Nevada, New York, North Dakota, Oregon, Washington, West Virginia, Wisconsin, Wyoming, F.E.C.A., and Longshore Act.

[2]To child until age 18 (18 in Manitoba, Newfoundland, Northwest Territories, Ontario, Saskatchewan, and Yukon; 19 in Alaska and Wyoming; 21 in Michigan and—if in school—New Brunswick). If invalid, for duration of invalidity (for 15 years in Wisconsin; for period decedent would have supported child in Alberta, Newfoundland, Prince Edward Island, and Yukon). If student, to age 21 in Colorado, British Columbia, New Brunswick, Nova Scotia, Newfoundland, Prince Edward Island, Saskatchewan, and C.M.S.C.A., 22 in Connecticut, Florida, Kentucky, Missouri, Nevada, South Dakota, Tennessee, and Virgin Islands; 23 in D.C., Kansas, Louisiana, Maine, Maryland, Mississippi, New Mexico, New York, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Virginia, Washington, F.E.C.A., and Longshore Act; 25 in America Samoa, Arkansas, Delaware, Hawaii, Illinois, Iowa, Minnesota, Montana, Nebraska, New Hampshire, Ohio, Puerto Rico, Texas, West Virginia, and Alberta; no age limit in Alaska (4 years only), Massachusetts, Vermont, Manitoba, Northwest Territories, Ontario, and Quebec.

[3]To spouse for life; compensation ceases on remarriage.

[4]To spouse for life; 2 years' lump sum upon remarriage (but only if no children in Colorado, Illinois, Indiana, and Iowa) or balance of compensation if less (Indiana, New Mexico, South Carolina, and Saskatchewan). In Illinois, lump sum is paid upon remarriage only if there were no children at time of death.

[5]To spouse for life; 1 year's lump sum upon remarriage.

[6]To spouse for life; cash lump sum on remarriage: Kansas—100 weeks or balance if less; Michigan—$500 or balance if less; Oregon—$5,000; Washington—$7,500 or 50% of remaining annuity value if less; Manitoba—$3,600; New Brunswick—1 year's spouse's income; Northwest Territories—$8,712; Nova Scotia—$2,800; Prince Edward Island—$4,200; Yukon—$6,749.

[7]Additional allowance for transportation of body; no maximum except: Virginia—$500; Alberta—$450; British Columbia—$504.74 and $504.74 for incidental death expenses; Nova Scotia—$300; Quebec—$500; Prince Edward Island—$100; Yukon—$272; C.M.S.C.A.—$125.

[8]Actual wage if less.

[9]Spouse receives cash lump sum in addition to other benefits: Maine—$1,000; Mississippi—$250; North Dakota—$300 plus $100 per child; Oklahoma—$10,000 plus $2,500 per dependent (maximum $15,000); Washington—$800; Alberta—$1,100; British Columbia—$1,261.91; Manitoba—$1,305; Northwest Territories—$1,056; Nova Scotia—$1,000; Ontario—$1,500; Prince Edward Island—$500; Quebec—$500; Saskatchewan—$1,000; Yukon—$1,348; C.M.S.C.A.—$750.

[10]If no dependents.

Ala. *Maximum is 100% of SAWW; minimum is 27-1/2% of SAWW, actual wage if less, effective 2/1/85.

Alaska *Maximum is 200% of SAWW.
**Spousal benefit reduced by 1/3 as of 5 years after worker's death, by 1/2 as of 8 years, and ceases after 10 years; reductions do not apply if spouse is over 52 or permanently and totally disabled. Limited Social Security offset.

Ark. *Benefits in excess of $75,000 payable from Death and Permanent Disability Bank Fund.

Colo. *Maximum is 80% of SAWW; minimum is 25% of maximum.
**Social Security offset.

Conn. *Maximum is 100% of SAWW and minimum is 20% of SAWW (80% of average weekly wages if less). Employer-funded cost of living increase payable each October.

Del. *Maximum is 80% of SAWW for spouse and children; 66-2/3% of SAWW for spouse only. Minimum for spouse only is 1/3 of maximum for spouse only.
**Additional burial allowance payable on Board approval.

D.C. *Maximum is 100% of SAWW (but no less than $413.26); minimum is 25% of SAWW or 80% of actual earnings, if less. Social Security offset.

Fla. *Maximum is 100% of SAWW.

Guam *Actual wages if less.

Hawaii *Maximum is 100% of SAWW for spouse and children; 75% of SAWW for spouse only. Minimum is 25% of SAWW.
**Maximum amount for persons other than spouse and children is the maximum benefit times 312.
***Funeral expense is 10 times SAWW, plus burial allowance equal to 5 times SAWW.

Idaho *Death benefit is fixed at 45% of SAWW for spouse plus 5% of SAWW per dependent child up to 3; 30% of SAWW for one child if no dependent spouse.

Ill. *Maximum is 133-1/3% of SAWW; minimum is 50% of SAWW.
**Benefits are $250,000 or 20 years at TT rate, whichever is greater. Child under 18 is entitled to at least 6 years' benefits.

Ind. *Effective 7/1/84.

Iowa *Maximum is 200% of SAWW.

Kan. *Maximum is 75% of SAWW.

Ky. *Maximum is 75% of SAWW for spouse and children; 50% of SAWW for spouse only. Minimum is 20% of SAWW.

La. *Maximum is 75% of SAWW. Minimum is 20% of SAWW, actual wage if less.

Maine *Maximum is 166-2/3% of SAWW.

Md. *Maximum is 100% of SAWW.
**Additional burial allowance payable on Commission approval.

Mass. *Maximum is 100% of SAWW, effective 4/5/83. Annual cost of living increase payable up to 5% for deaths after that date.
**After receiving an amount equal to 250 times SAWW, spouse must prove actual dependence; time and amount limits do not apply to children's benefits.

Mich. *Maximum is 90% of SAWW, minimum is 50% of SAWW.
**500-week limit does not apply to children.

Minn. *Maximum is 100% of SAWW.
**Government survivors' benefits offset. During dependency of children; then 10 years' benefits.
***For unrelated death while decedent was receiving impairment compensation or economic recovery benefits, benefits continue to surviving spouse and children until 10 years after dependency of last child, not affected by remarriage.

Miss. *Effective 7/1/84. Increased to $133 as of 7/1/85 and $140 as of 7/1/86.
**Effective 7/1/84. Increased to $59,850 as of 7/1/85 and $63,000 as of 7/1/86.

Mo. *Maximum is 70% of SAWW effective 9/28/83; increased to 75% of SAWW, effective 9/28/86.
**4 years' benefits payable to child on active duty in armed forces at age 18 who enrolls in school prior to age 23.

Mont. *Maximum is 100% of SAWW; minimum is 50% of SAWW, actual wage if less.

Nev. *Maximum is 100% of SAWW.

N.H. *Maximum is 150% of SAWW; minimum is 40% of SAWW or actual wages if less.
**On remarriage, the unpaid balance otherwise due is payable to parent or guardian for the children's benefit.

N.J. *Maximum is 75% of SAWW; minimum is 20% of SAWW.
**After 150 weeks, spouse's earnings are deducted.

N.M. *Maximum is 100% of SAWW.

N.Y. *Social Security offset.
**Effective 7/1/84. Increased to $300 as of 7/1/85.

CHART VIII ☐ FATALITIES—INCOME BENEFITS FOR SPOUSE AND CHILDREN ☐ January 1, 1985 (continued)

JURISDICTION	PERCENT OF WAGES			MAXIMUM WEEKLY PAYMENT		MINIMUM PER WEEK SPOUSE ONLY	TIME LIMIT	AMOUNT LIMIT[1]		MAXIMUM BURIAL ALLOWANCE
	SPOUSE PLUS CHILDREN	SPOUSE ONLY	ONE CHILD ONLY	SPOUSE PLUS CHILDREN	SPOUSE ONLY			SPOUSE PLUS CHILDREN	SPOUSE ONLY	
NORTH CAROLINA	66-2/3	66-2/3	66-2/3	$ 280.00*	$ 280.00*	$30.00	[2,3,**]			$1,000
NORTH DAKOTA[9]	66-2/3*	66-2/3	66-2/3	(•)	210.00	10.00	[2,*]	(•)	$175,000*	2,500
OHIO	66-2/3	66-2/3	66-2/3	354.00*	354.00*	177.00*	[2,4]			1,200
OKLAHOMA[9]	75	50	35	217.00*	217.00*	30.00[8]	[2,4]			1,000[10]
OREGON				324.23*	162.12*	162.12*	[2,6,**]			3,000
PENNSYLVANIA	66-2/3	51	32	336.00*	336.00*	168.00*	[2,4]			1,500
PUERTO RICO	85	50	60	28.85*	23.08*	11.54*	[2,4,**]			300[10]
RHODE ISLAND	80	66-2/3	66-2/3	(•)	292.00*	30.00	[2,3]			3,000
SOUTH CAROLINA	66-2/3	66-2/3	66-2/3	287.02*	287.02*	25.00	500 weeks[2,4]	143,510	143,510	400
SOUTH DAKOTA	66-2/3	66-2/3	66-2/3	(•)	217.00*	124.00*	[2,4]			2,500[7]
TENNESSEE	66-2/3	50	50	136.00	136.00	15.00	[2,3]	50,400	50,400	2,000*
TEXAS	66-2/3	66-2/3	66-2/3	203.00	203.00	35.00	[2,4]			2,500
UTAH	66-2/3*	66-2/3	66 2/3	264.00*	264.00*	45.00[8]	[2,**]			1,800
VERMONT	76-2/3	66-2/3	71-2/3	278.00*	278.00*	139.00*	[2,**]			1,000
VIRGIN ISLANDS				(•)	(•)	(•)	[2]	16,500*	16,500*	800[10]
VIRGINIA	66-2/3	66-2/3	66-2/3	295.00*	295.00*	73.75*	500 weeks[2]	147,500	147,500	3,000[7]
WASHINGTON[9]	70	60	35	256.38*	256.38*	42.69	[2,6]			2,000
WEST VIRGINIA	70	70	70	321.30*	321.30*	107.10*	[2,3]			2,500
WISCONSIN	66-2/3	66-2/3	66-2/3	321.00*	321.00*	30.00	(••)	96,300***	96,300***	1,000
WYOMING				(•)	231.51*	231.51*	(•)	(•)	(•)	1,800**
F.E.C.A.	75*	50	40	979.90	979.90	100.97	[2,4,**]			800[7,***]
LONGSHORE ACT	66-2/3	50	50	579.66*	579.66*	194.20	[2,4]			3,000
ALBERTA[9]	90% of (weighted net income)	90% of (weighted net income)		(•)	(•)	(•)	5 years[2]			1,350[7]
BRITISH COLUMBIA[9]			40	(•)	(•)	(•)	[2,4]			1,514.20[7]
MANITOBA[9]	75	75		418.15*	418.15*	136.16*	[2,6]			1,500[7]
NEW BRUNSWICK	80% of weighted net income	80% of weighted net income		(•)	(•)	(•)	Age 65[2,6]			980[7]
NEWFOUNDLAND	(•)	(•)	67-1/2% of weighted net income	(•)	440.86*	111.24*	[2]			1,120[7]
NORTHWEST TERRITORIES[9]				(•)	167.54*	167.54*	[2,5]			1,056[7]
NOVA SCOTIA[9]	(•)	(•)		(•)	126.23*	126.23*	[2,6]			750[7]
ONTARIO[9]				(•)	136.86*	136.86*	[2,4]			1,500[7]
PRINCE EDWARD ISLAND[9]	(•)	(•)		(•)	69.23*	69.23*	[2,6]			500[7]
QUEBEC[4]	72*	49-1/2 (weighted net income)	49-1/2	324.50*	(•)	91.24*	[2,3,**]			600[7]
SASKATCHEWAN	75	75		475.96	475.96	194.72	5 years[2,4]			1,000[7]
YUKON TERRITORY[9]				(•)	165.69*	165.69*	[2,6]			1,543[7,*]
CANADIAN MERCHANT SEAMEN'S ACT[4]				393.04*	393.04*	102.00[8]	[2,4]			742[7]

N.C. *Maximum is 100% of SAWW.
**Payable for life if spouse dependent or disabled at time of decedent's death.

N.D. *Maximum $210 plus $7 per dependent child under 18. Payments on behalf of children are not subject to amount limit.

Ohio *Maximum is 100% of SAWW; minimum is 50% of SAWW.

Okla. *Maximum is 66-2/3% of SAWW.

Ore. *Monthly spousal benefit is fixed at 50% of SAWW times 4.35 (= $705.20 for 1984-85); an additional $150 each is payable monthly for the first and second children, plus $50 monthly per additional child, up to monthly maximum. Maximum is 100% of SAWW times 4.35 (= $1,410.40 for 1984-85).
**Child's benefit payable to age 19 if in high school.

Pa. *Maximum is 100% of SAWW; minimum is 50% of SAWW.

P.R. *Maximum for spouse and children is $125 monthly, for spouse only, $100 monthly. Minimum is $50 monthly. Maximum advance payment is $500 to widow plus $50 per child, up to $1,100 total.
**540-week limit inapplicable to spouse and children.

R.I. *Maximum is 100% of SAWW plus $8 per dependent child, up to 80% of pre-injury wages.

S.C. *Maximum is 100% of SAWW.

S.D. *Maximum is 100% of SAWW; minimum is 50% of SAWW, actual wage if less. Additional $50 monthly is payable for each dependent child through age 18.

Tenn. *Employer must pay $10,000 lump sum into estate if worker had no dependents.

Utah *Additional allowance for dependents is $5 for spouse plus $5 for dependent child (up to 4). Maximum (including dependents' allowance) is 85% of SAWW.
**After 312 weeks payments are continued only after annual review. Receives same payment minus 50% Social Security payment. Balance of 312 weeks or 52 weeks is payable to spouse upon remarriage, whichever less.

Vt. *Maximum is 100% of SAWW; minimum is 50% of SAWW, actual wage if less.
**To spouse until age 62 or when entitled to Social Security; balance of 330 weeks, if any, is payable on remarriage. Maximum 330 weeks payable to or for any child.

V.I. *Death benefit is $12,500 to $16,500, payable in installments or lump sum; 60% is payable to children, if any. Amount limit includes amounts paid for disability.

Va. *Maximum is 100% of SAWW; minimum is 25% of SAWW, actual wage if less.

Wash. *Maximum monthly benefit is 75% of state average monthly wage.

W. Va. *Maximum is 100% of SAWW; minimum is 33-1/3% of SAWW.

Wis. *Maximum is 100% of SAWW. Benefits are payable on monthly basis.
**If death follows disability, total time limit for disability plus death is 1,000 weeks.
***Amount limit is 300 times SAWW. When primary benefit expires, a supplementary monthly benefit continues for children at 10% of the spouse's monthly benefit, payable from the Children's Fund, to age 18 or for 15 years if invalid.

Wyo. *Monthly benefit is fixed at 66-2/3% of state average monthly wage plus $100 monthly per child until age 19 (21 if invalid or emancipated). After 231 weeks, court may continue payments at 33-1/3% of state average monthly wage. PT benefits in excess of $4,000 are deducted.
**Employer may make other arrangements.

F.E.C.A. *2 or more children.
**Spouse who remarries after age 60 continues to receive monthly benefits.
***Additional $200 lump sum payable for cost of terminating status as U.S. employee.

Longshore *Effective 10.1.84 (200% NAWW). Benefits shall not exceed lesser of employee's weekly wage or $579.66. Minimum is 66-2/3% of NAWW, actual wages if less. Death benefits not payable if employee receiving PP benefits dies from causes other than compensable injury.

Alta. [1]5 years; declining payment, effective 1.1.82.

B.C. *After deduction of Canada pension, maximum monthly benefit for spouse with 2 children is $1,599.04, plus $164 for each additional child. Childless widow under 40 receives capital sum of $25,237.19. Benefits for childless widow age 40 or older vary by age.

Man. *Maximum is $1,812 monthly; minimum is $590 monthly. Allowance for 1 dependent is additional $133 monthly if under 16 or $148 monthly if over 16 and in school; allowance for 2 or more dependents is amount payable for 2 oldest children; total monthly benefit may not exceed maximum.

N.B. *Spouse receives monthly benefit based on 80% of family income, less Canada pension.

Nfld. *Spouse receives lump sum. Additional monthly benefits vary as to age and or youngest child reaching 16. For all dependent spouses, marriage results in payment of lesser of $5,000 or aggregate of one year's payments. Effective 1.1.85, dependency benefits before 1.1.84 receive a 3.8% increase.

N.W.T. *Fixed monthly benefit is $728 plus $165 monthly per child.

N.S. *Fixed monthly benefit is $547 plus $143 monthly per child.

Ont. *Fixed monthly benefit is $593 plus $165 monthly per child.

P.E.I. *Effective 4.1.82, fixed monthly benefit is $350 plus $75 monthly per child.

Quebec *Benefits for surviving spouse or child only are increased by 9% of weighted net income for first child, then 4-1/2% for each additional child.
**Benefits stop after 5 years if spouse was under 35. Five years' benefits are payable to any spouse regardless of marital status.

Yukon *Fixed monthly benefit is $718 plus $183 monthly per child.

C.M.S.C.A. *Fixed monthly benefit is $393.04 for spouse only, actual weekly wage if less. Monthly benefit for spouse and children is $393.04 plus $85 per child, up to $1,703.17 monthly.

CHART IX WAITING PERIOD FOR INCOME BENEFITS; MEDICAL BENEFITS January 1, 1985

JURISDICTION	WAITING PERIOD [1]	RETRO-ACTIVE PERIOD	MEDICAL BENEFITS				
			UNLIMITED	CHOICE OF PHYSICIAN[2] EMPLOYER	CHOICE OF PHYSICIAN[2] EMPLOYEE	ARTIFICIAL APPLIANCES FURNISHED	SPECIAL PROVISIONS
ALABAMA	3 days*	3 weeks	Yes	Initial choice		Yes	Employer must replace appliances damaged in work-related accident and provide physical and vocational rehabilitation.
ALASKA	3 days	4 weeks	Yes		Yes	Yes	Injury includes damages to eyeglasses, dentures, hearing aids, or any prosthetic devices.
AMERICAN SAMOA	3 days	2 weeks	Yes			Yes	
ARIZONA	7 days	2 weeks	Yes		Yes	Yes	Prayer or spiritual treatment by agreement.
ARKANSAS	7 days	2 weeks	Yes	Agency may change		Yes	Spiritual treatment by agreement.
CALIFORNIA	3 days*	3 weeks*	Yes		If prior notification given to employer	Yes	Includes x-ray reports, medical reports, and testimony and laboratory fees reasonably required to prove a claim.**
COLORADO	3 days	2 weeks	Yes	Agency may change		Yes	Dental Service—maximum $500.
CONNECTICUT	3 days	1 week	Yes		From state list	Yes*	Worker compensated for time lost due to medical attention. Employer must repair or replace appliances damaged in employment; must also repair or replace eyeglasses, contact lenses, hearing aids, or dentures where injury to face or head. Prayer or spiritual treatment with Commissioner's approval.
DELAWARE	3 days*	7 days*	Yes		Yes	Yes	Employer must replace prosthesis as needed.
DISTRICT OF COLUMBIA	3 days	2 weeks	Yes		From state list	Yes	Spiritual treatment by agreement.
FLORIDA	7 days	2 weeks	Yes	Yes		Yes	Injury includes damage to dentures, eyeglasses, and prosthetic devices in conjunction with accident. Employer must provide custodial care.
GEORGIA	7 days	4 weeks	Yes	Agency may change		Yes*	
GUAM	7 days*	21 days	Yes			Yes	
HAWAII	2 days	5 days	Yes		Yes	Yes	Maximum monthly attendant's allowance—4 times SAWW.
IDAHO	5 days*	2 weeks*	Yes	Yes		Yes	Christian Science treatment permitted.
ILLINOIS	3 days*	2 weeks	Yes		Yes	Yes	Spiritual treatment by agreement. Employer must repair/replace appliances damaged in compensable accident.
INDIANA	7 days	3 weeks	Yes	Yes		Yes	Employer pays reasonable expenses, including travel, food, and lodging, for treatment outside county. Spiritual treatment by agreement.
IOWA	3 days*	2 weeks	Yes	Yes		Yes	Employer must repair or replace appliances.
KANSAS	7 days	3 weeks	Yes	Yes		Yes	Prayer or spiritual treatment by agreement.
KENTUCKY	7 days	2 weeks	Yes		Yes	Yes	
LOUISIANA	7 days	6 weeks	Yes		Yes	Yes	Employer must repair/replace appliances.
MAINE	3 days*	2 weeks	Yes		Yes	Yes	Chiropractic services authorized.
MARYLAND	3 days	2 weeks	Yes		Yes	Yes	Employer must repair/replace appliances.
MASSACHUSETTS	5 days	6 days	Yes		Yes	Yes	
MICHIGAN	7 days	2 weeks	Yes	Initial choice		Yes	
MINNESOTA	3 days	10 days	Yes		Yes	Yes	Christian Science treatment by agreement. Chiropractic and podiatric treatment authorized.
MISSISSIPPI	5 days	2 weeks	Yes		Yes	Yes	
MISSOURI	3 days	2 weeks	Yes	Agency may change		Yes	Prayer or spiritual treatment by agreement.
MONTANA	5 days*	5 days*	Yes		Initial choice	Yes	Employer must repair/replace appliances damaged as a result of injury.
NEBRASKA	7 days	6 weeks	Yes		Yes	Yes	Employer must replace appliances damaged due to compensable injury. Employer must provide plastic surgery for disfigurement.
NEVADA	5 days	5 days	Yes		Yes	Yes	Spiritual treatment permitted.
NEW HAMPSHIRE	3 days	1 week	Yes		Yes	Yes	
NEW JERSEY	7 days	8 days	Yes	Yes		Yes	Hospital care must be semi-private, if available.
NEW MEXICO	7 days	4 weeks	Yes	Yes		Yes	Claimant may not refuse treatment reasonably essential to provide recovery.*
NEW YORK	7 days	2 weeks	Yes		From state list	Yes	Employer liable for X-rays, special diagnostic tests, consultations.
NORTH CAROLINA	7 days	4 weeks	Yes	Yes	Agency may change	Yes	Employer must repair/replace appliances damaged in compensable accident. Medical care includes rehabilitation services.
NORTH DAKOTA	5 days	5 days	Yes		Yes	Yes	
OHIO	7 days	2 weeks	Yes		Yes	Yes	Includes hospitalization and damage to eyeglasses, dentures, hearing aids, or prostheses.
OKLAHOMA	3 days	3 days	Yes		Yes	Yes	Employer must repair/replace appliances. Special provisions for hernias.
OREGON	3 days	2 weeks	Yes		Yes*	Yes	Spiritual treatment by agreement.

[1] If disability continues for longer than stated periods, compensation is paid for the waiting period. Waiting periods do not apply to medical care, which is furnished from the first day of injury.

[2] Information for 1984 supplied by Division of State Standards, U.S. Department of Labor.

Ala. *Temporary disability only.

Calif. *Waiting period also terminated by hospitalization.
**Psychologists included within definition of physician and treatment permitted.

Conn. *By court decision. *Olmstead v. Lamphier*, 93 Conn. 20, 104 A. 488 (1918).

Del. *No waiting period if incapacity results in hospitalization or is caused by amputation of member.

Ga. *Included in total amount allowed for medical care.

Idaho *Waiting period also terminated by hospitalization.

Ill. *Temporary total disability only.

Iowa *No waiting period for permanent partial disability.

Maine *Firemen are exempt from waiting period and receive compensation from date of disability.

Mont. *Waiting period refers to number of days on which worker has a loss of wages.

N.M. *By court decision. *Brooks vs. Employers National Insurance Co.*, 688 P.2d. 25 (1984).

Ore. *May choose physician within state. Allowed 4 changes; changes thereafter require Director's approval.

CHART IX □ WAITING PERIOD FOR INCOME BENEFITS; MEDICAL BENEFITS □ January 1, 1985 (continued)

JURISDICTION	WAITING PERIOD[1]	RETRO-ACTIVE PERIOD	MEDICAL BENEFITS				
			UNLIMITED	CHOICE OF PHYSICIAN[2]		ARTIFICIAL APPLIANCES FURNISHED	SPECIAL PROVISIONS
				EMPLOYER	EMPLOYEE		
PENNSYLVANIA	7 days	2 weeks	Yes	Initial choice*		Yes	
PUERTO RICO	3 days	10 days	Yes	State agency			
RHODE ISLAND	3 days	2 weeks	Yes		Yes	Yes	
SOUTH CAROLINA	7 days	2 weeks	Yes	Yes		Yes	
SOUTH DAKOTA	7 days*	8 days	Yes	Yes		Yes	Employer must repair/replace appliances damaged in compensable accident.
TENNESSEE	7 days	2 weeks	Yes		From employer list	Yes	Provides for nursing services, treatment by chiropractors.
TEXAS	7 days	4 weeks	Yes		Yes	Yes	Repair or replacement of appliances when determined by physician.
UTAH	3 days	2 weeks	Yes	Agency may change		Yes	$1,800 limit for each artificial appliance, except unusual cases.
VERMONT	3 days*	4 days	Yes		Initial choice	Yes	Injury includes damage to and cost of replacement of eyeglasses, hearing aids, and prosthetic devices.
VIRGIN ISLANDS	1 day	1 day	$16,000		Yes; agency may change	Yes	$30,000 amount limit if treatment outside Virgin Islands.
VIRGINIA	7 days	3 weeks	Yes		From employer list	Yes	Employer must repair/replace appliances damaged in compensable accident. Employer may be ordered to furnish wheelchair and make alterations to home, maximum $10,000.
WASHINGTON	3 days	2 weeks	Yes		Yes	Yes	Employees pay half of medical aid premiums. Department will replace/repair appliances damaged in compensable accident.
WEST VIRGINIA	3 days	1 week	Yes		Yes	Yes	Employer must repair/replace appliances regardless of personal injury.
WISCONSIN	3 days	1 week	Yes		Yes	Yes	Repair or replacement of appliances is limited to normal wear and tear.
WYOMING	3 days	8 days	Yes		Yes	Yes	Maximum amount for prosthesis or hearing aid—$1,500 plus $350 for travel for fitting; amount in excess may be granted upon application.
F.E.C.A.	3 days*	14 days	Yes			Yes	Additional $500 monthly for medical attendant.
LONGSHORE ACT	3 days	2 weeks	Yes		Labor Secretary may change	Yes	Consent for specialist, if needed. Spiritual treatment permitted.
ALBERTA	1 day	1 day	Yes		Yes	Yes	Appliances repaired or replaced by Board. Board may repair or replace garment damaged in compensable accident. Clothing allowance for wear due to prosthetic—$200. Attendance allowance—$378 to $1,329 per month, plus personal care allowance of $125 per month.
BRITISH COLUMBIA	1 day	Yes			Yes	Yes	Appliances repaired or replaced at Board's discretion, regardless of personal injury (includes eyeglasses, dentures, and hearing aids unless worker is at fault). Board may provide eyeglasses for serious visual impairment caused by work injury. Personal care allowance—maximum $1,050.21 monthly. Annual clothing allowance for wear due to prosthesis—$160.64 for upper limb, $321.30 for lower limb, $481.94 for both.
MANITOBA	1 day	1 day	Yes		Yes	Yes	Appliances repaired or replaced at Board's discretion, regardless of personal injury. Clothing allowance for wear due to prosthetic device—$120 upper limb, $240 lower limb. Attendance allowance $102 to $714 monthly.
NEW BRUNSWICK	1 day	1 day	Yes		Yes	Yes	Medical aid includes repair or replacement of appliances. Clothing allowance for wear due to prosthesis—$150. Attendance allowance $90 to $300 monthly.
NEWFOUNDLAND	1 day	(+)	Yes		Initially yes; should consult Commission before changing	Yes	Commission may repair or replace appliances and may pay daily allowance for treatment away from home. Clothing allowance for wear due to prosthetic device—$150 to $300. Attendant's allowance—$100 to $400 monthly. Home care allowance payable at Commission's discretion.
NORTHWEST TERRITORIES	1 day	1 day	Yes		Yes, subject to Board approval	Yes	Clothing allowance for wear due to prosthetic device—$100. Board may repair/replace appliances damaged in a compensable accident.
NOVA SCOTIA	3 days*	3 days	Yes		Yes	Yes	Attendant's allowance—$300 monthly. Clothing allowance for wear due to prosthetic device—$350 per year. Board may repair or replace appliances, and renew eyeglasses (replaced if damaged in any accident).
ONTARIO	1 day	(+)	Yes		Initial choice	Yes	Maximum attendance allowance—$1,029 monthly. Clothing allowance for wear due to prosthetic device—$175 for upper limb and $350 for lower limb.**
PRINCE EDWARD ISLAND	1 day	1 day	Yes		Initial choice	Yes	Appliances repaired or replaced at Board's discretion.
QUEBEC	1 day	(+)	Yes		Yes	Yes	Commission may repair/replace prosthesis damaged in course of employment. Additional clothing allowance for wear due to prosthetic device—$300. Attendance allowance—$200 to $800 monthly.
SASKATCHEWAN	(+)	(+)	Yes		Yes	Yes	Clothing allowance for wear due to prosthetic device—$137 for arm, $305 for leg. Employer must repair/replace appliances damaged in compensable accident. Personal care allowance—$206 to $1,038.
YUKON TERRITORY	1 day	1 day	Yes		Yes	Yes	Clothing allowance—$127 for upper limb and $258 for lower limb. Personal care allowance—$212.90 to $730 monthly.
CANADIAN MERCHANT SEAMEN'S ACT	3 days	3 days	Yes		Yes	Yes	Employer must keep appliances in repair or replace, at Board's discretion.

Pa. *Only if 5 physicians posted and for first 14 days of treatment.

S.D. *Consecutive days.

Vt. *Total disability only.

F.E.C.A. *Waiting period begins running after 45 days' continuation of pay.

Nfld. *Employer payment for day on which accident occurs.

N.S. *No waiting period for permanent partial disability.

Ont. *Compensation not paid for the day on which the accident occurs.
**Compensation payable during disability caused by damage to prosthetic device.

Quebec *Compensation not paid for day on which injury occurs.

Sask. *Compensation not paid for the day on which the accident occurs.

CHART X REHABILITATION OF DISABLED WORKERS January 1, 1985

JURISDICTION	SOURCE OF FUND	MAINTENANCE ALLOWANCE	SPECIAL PROVISIONS
ALABAMA	No fund established	Board, lodging, and travel, if away from home	Physical and vocational rehabilitation to restore employee to gainful employment furnished at employer's expense. Employee's refusal results in loss of compensation.
ALASKA	No fund established	Board, lodging, travel, and temporary disability benefits. Additional $200 monthly if extreme financial hardship.	Employer pays full cost. Services available 37 weeks, extendable to 74 weeks. Compensation suspended for unreasonable refusal of evaluation or failure to participate in approved or agreed plan.
AMERICAN SAMOA	Second Injury Fund	$10 weekly paid by employer plus maintenance from Special Fund.	Commission arranges for vocational rehabilitation of permanently disabled workers.
ARIZONA	$1,150 in no-dependency death cases. Appropriations annually from general fund up to 2% of annual premium.	Commission may authorize additional necessary awards to persons undergoing vocational rehabilitation.	Vocational rehabilitation trainees considered an employee at $200 monthly wage rate for compensation benefits.
ARKANSAS	No fund established	Reasonable expenses for maintenance, travel, and other necessary costs for 60 weeks maximum.	Must apply to Commission within 60 days. Commission may authorize vocational rehabilitation if reasonable in relation to disability, but worker may refuse.
CALIFORNIA	No fund established	All additional necessary living expenses during rehabilitation.	Rehabilitation unit in Division of Industrial Accidents. Rehabilitation program is compulsory on part of employer or carrier. Rehabilitation trainee is considered employee of training employer for insurance purposes.
COLORADO	No fund established for vocational rehabilitation	Maintenance, tuition, and transportation during 26 weeks.	Period of time may be extended another 26 weeks if necessary. Employee cannot receive disability benefits and maintenance simultaneously.
CONNECTICUT	2% tax upon compensation paid by insurers and self-insurers.	Weekly subsistence allowance during vocational rehabilitation.	Employer pays full cost of medical rehabilitation, which continues until employee reaches maximum improvement. Vocational rehabilitation is furnished by Division of Workers' Rehabilitation.
DELAWARE	No fund established	Reasonable board, lodging, and travel.	Physical and vocational rehabilitation furnished at employer's expense. Employee's refusal results in loss of compensation.
DISTRICT OF COLUMBIA	No fund established	Not exceeding $50 per week.	Employer must provide vocational rehabilitation. Benefits forfeited if worker fails to cooperate.
FLORIDA	Payments from Special Fund and assessments upon insurers and self-insurers.	Reasonable board, lodging, and travel.	Injured worker is entitled to prompt rehabilitation including retraining, provided by or at the expense of the employer. Rehabilitation may be up to 26 weeks extendable for an additional 26 weeks. Refusal to accept rehabilitation deemed necessary by deputy commissioner results in automatic 50% reduction in compensation for each week of refusal.
GEORGIA	No fund established	Board, lodging, and travel, if away from home.	Vocational rehabilitation furnished for 52 weeks but may be extended if necessary. Employee's unreasonable refusal may result in suspension of compensation.
GUAM	State fund (appropriation)	$10 per week during retraining.	Commission directs the vocational rehabilitation of permanently disabled employees and arranges with the appropriate public or private agencies for such education.
HAWAII	Payments from Second Injury Fund.	Director of Labor to issue rules.	Rehabilitation unit within Department of Labor makes recommendation for physical or vocational rehabilitation.
IDAHO	7% tax on insurers and self-insurers.	Reasonable expenses for maintenance and travel.	Rehabilitation Division administers. Temporary disability benefits payable up to 104 weeks where retraining required.
ILLINOIS	No fund established.	Maintenance costs and incidental expenses.	Physical, mental, and vocational rehabilitation as may be necessary. Institutional care, if required.
INDIANA	No fund established	No specific statutory provision[1]	
IOWA	No fund established	$20 weekly in addition to other compensation for 13 weeks.	May be extended additional 13 weeks. Medical care includes physical rehabilitation.
KANSAS	No fund established	If employer provides vocational rehabilitation, must pay reasonable board, lodging, and travel up to $2,000 for a 26-week period (may be increased to $3,000).	If vocational rehabilitation unavailable through public facility, employer must provide up to 26 weeks, extendable additional 26 weeks. Compensation suspended for worker's unreasonable refusal of physical or vocational rehabilitation; compensation canceled after 90 days' refusal. Rehabilitation Section of Division administers. Compensation paid during vocational rehabilitation is deducted from benefits for permanent partial disability.
KENTUCKY	No fund established	Board, lodging, and travel, if away from home.	Unlimited medical rehabilitation; vocational rehabilitation up to 52 weeks (may be extended). Employee's refusal results in loss of 50% of compensation.
LOUISIANA	No fund established	Board, lodging, and travel paid by employer or carrier.	Employer or carrier provides up to 26 weeks of vocational rehabilitation, extendable another 26 weeks. Benefits reduced 50% for refusal of necessary rehabilitation.
MAINE	No fund established	$35 per week for 52 weeks.	Commission member may extend vocational or educational rehabilitation benefits for additional 52 weeks or for a 3rd period of 52 weeks.*
MARYLAND	No fund established	Up to $40 weekly paid by employer.	Workmen's Compensation Commission investigates all claims and reports of injury or disability for referral to Division of Vocational Rehabilitation. Employee entitled to 24 months of vocational rehabilitation. Employee's unreasonable refusal results in loss of compensation. Employer pays compensation for temporary total disability plus expenses of vocational rehabilitation.
MASSACHUSETTS	No fund established. Paid the same as compensation.	Rehabilitation Commission may approve room, board, and travel expenses.	Necessary cost of rehabilitation subject to approval of Rehabilitation Commission.
MICHIGAN	No fund established	Transportation and other necessary expenses during 52 weeks training.	Medical and vocational rehabilitation services under Workers' Compensation Bureau. Bureau may extend training period additional 52 weeks, maximum total 104 weeks.
MINNESOTA	No fund established	Necessary expenses, including tuition, books, travel, board, lodging, and custodial daycare.	Qualified injured worker entitled to rehab. provided by at expense of employer. Employer must provide rehab. for up to 156 weeks, through approved plan.* Participant may request 25% benefit increase and is eligible for one-time relocation allowance. Employer may seek termination or suspension of benefits if worker fails to cooperate. Appeals of rehab. decisions are heard by Rehab. Review Panel.
MISSISSIPPI	No fund established	Up to $10 per week up to 52 weeks.	Commission cooperates with federal and state agencies.
MISSOURI	Second Injury Fund	$40 weekly for physical rehabilitation (by order of Division after 20 weeks).	Administered by Director of Worker's Compensation Division. Division may order employer to provide transportation.
MONTANA	Rehabilitation Fund by 1% tax upon compensation paid by insurers, self-insured, and state fund.	Additional $50 weekly for living expenses while in training plus transportation, tuition, books, and equipment.	Administered by Workers' Compensation Division in conjunction with Department of Social and Rehabilitation Services. Employee's refusal may result in loss of compensation.
NEBRASKA	Vocational Rehabilitation Fund by 1% premium tax on insurers and self-insurers (minimum $25) payable to Court.	Board, lodging, and travel paid by fund. Temporary total indemnity paid by self-insurer or carrier.	Insurer must furnish medical, physical, and vocational rehabilitation services voluntarily (if not, may be ordered to do so). Costs may be apportioned between the employer and the Vocational Rehabilitation Fund. Payments into fund suspended when fund reaches $400,000 (see Chart XII).
NEVADA	State Insurance Fund and self-insurance	Insurer may allow maintenance as needed.	Insurer is authorized to provide all necessary rehabilitation services. Employee's refusal results in loss of all benefits.
NEW HAMPSHIRE	No fund established	Board, lodging, travel, books, and basic materials in addition to compensation.	Insurer must furnish rehabilitation services voluntarily, or may be ordered to do so, for one year and further treatment if needed. Vocational and physical rehabilitation staff assist in program.
NEW JERSEY	No fund established		Permanent total disability benefits may be stopped after 450 weeks unless the worker has submitted to physical or educational retraining.

Ind. [1]State Rehabilitation Services Board administers vocational rehabilitation programs. Compensation suspended for refusal of suitable on employment by partially disabled claimant.

Maine *Parties may agree to 3-month trial work period during which compensation is suspended. Compensation resumed if unsuccessful.

Minn. *Surviving spouse may request rehabilitation.

CHART X ☐ REHABILITATION OF DISABLED WORKERS ☐ January 1, 1985 (continued)

JURISDICTION	SOURCE OF FUND	MAINTENANCE ALLOWANCE	SPECIAL PROVISIONS
NEW MEXICO	No fund established	Board, lodging, travel, and maintenance for family, $3,000 maximum in addition to other compensation.	Employer must furnish vocational rehabilitation services to render worker fit to engage in remunerative employment.
NEW YORK	$2,000 in no-dependency death cases	Up to $30 per week for rehabilitation maintenance.	Department of Labor cooperates with Department of Education.
NORTH CAROLINA	No fund established		Insurer must furnish rehabilitation services required to lessen disability. Employee's unreasonable refusal of services ordered by Commission results in loss of compensation.
NORTH DAKOTA	Benefit Fund	Rehabilitation allowance in lieu of and equal to compensation, plus 25%.	Bureau through its Director of Rehabilitation provides retraining. Employee's unreasonable refusal to cooperate shall forfeit compensation. Additional allowance of $5,000 maximum during lifetime, for remodeling living or business facilities, if required.
OHIO	State Insurance Fund	Same as for temporary total disability, minimum 50% of SAWW, for 6 months (renewable).	Rehabilitation Division within Commission administers. Division may make all necessary expenditures, medically including treatment of non-occupational conditions inhibiting return to work.
OKLAHOMA	No fund established	Board, lodging, travel, tuition, and books.	Court may order necessary rehabilitation up to 52 weeks.
OREGON	Rehabilitation reserve out of Administrative Fund	Worker receives temporary total disability compensation during rehabilitation.	Rehabilitation Reserve pays cost of physical rehabilitation. Need determined within 120 days after temporary total disability; benefits may be suspended for failure to participate. Vocational assistance may be provided by employer or insurer. Department reimburses employer for temporary disability benefits paid after injury is medically stationary and for authorized costs of rehabilitation.
PENNSYLVANIA	No fund established	Rehabilitation Board may provide cash payments for living expenses.	State Board of Rehabilitation may provide vocational rehabilitation, training, and services.
PUERTO RICO	No fund established	Administrator may grant $45 weekly for up to 26 weeks.	Rehabilitation center provides physical, medical, and rehabilitation services.
RHODE ISLAND	$750 in no-dependency death cases; 1% of insurance premium	Board, lodging, and travel.	Rehabilitation clinic financed by the Curative Centre Fund. Compensation suspended for willful refusal of rehabilitation.
SOUTH CAROLINA	No fund established	No specific statutory provision	
SOUTH DAKOTA			TT during period of approved vocational rehabilitation.
TENNESSEE	No fund established		Division of Workers' Compensation refers feasible cases to Department of Education pursuant to plan providing full or partial recovery of expenses from employer or insurer.
TEXAS	No fund established		Insurer furnishes necessary medical care and services for physical rehabilitation. Board may refer employee to Texas Rehabilitation Commission for vocational services.
UTAH	$18,720 in no-dependency death cases	$1,000 maximum during rehabilitation of permanently and totally disabled person.	If cannot be rehabilitated, worker receives benefits for life from Second Injury Fund, minimum $85 per week.
VERMONT	No fund established	Board, lodging, travel, books, and tools.	Commissioner may order vocational rehabilitation services. If employee refuses, compensation may be suspended.
VIRGIN ISLANDS	Government Insurance Fund	Board, lodging, and travel.	Income benefits during rehabilitation suspended for employee's refusal to accept vocational rehabilitation. See Chart V—Total Disability Benefits.
VIRGINIA	Second Injury Fund		Commission may award compensation, medical care, and vocational rehabilitation. Employee's unreasonable refusal may suspend compensation.
WASHINGTON	No fund established	Compensation; board, lodging, travel, books, equipment, and child care allowance, up to 52 weeks (maximum $3,000).	Supervisor may extend period for another 52 weeks. Dept. operates a Rehabilitation Center and pays maintenance and employer's cost of job modification. Compensation may be halved for refusing rehabilitation without good cause. Evaluation mandatory in 120 day time-loss cases.
WEST VIRGINIA	State Fund used; no special account	Up to $10,000 (includes tuition, books, supplies, travel, lodging, and tools). No limit on physical rehabilitation costs. Temporary total disability payments if totally disabled.	Fund-employed Rehabilitation Counselors provide referrals and direct services. Direct job placement preferred, but short-term training is provided when necessary. Medical services and devices are authorized for physical rehabilitation.
WISCONSIN	No fund established	Board, lodging, and travel up to 40 weeks. Temporary total disability paid during training.	Course of instructions must be undertaken with 60 days from date sufficiently recovered or as soon thereafter as State Board provides opportunity. 40-week period may be extended if necessary. Department employs rehabilitation specialists (physical, medical, and vocational) to evaluate and refer injured employee for treatment.
WYOMING	No fund established	Up to $10 per week (may be increased to $15 per week if insufficient) up to 72 weeks.	District judge grants maintenance allowance on recommendations of Board of Education.
F.E.C.A.	Employees' Compensation Fund	Up to $200 per month.	If person fails to undergo rehabilitation, administrator may reduce benefit if rehabilitation would have increased earnings.
LONGSHORE ACT	50% of Special Fund*	Up to $25 per week.	Surplus in Fund in any one year may be carried over. Appropriations authorized.
ALBERTA	Accident Fund	Discretion of Board.	Board operates physical rehabilitation center. Board may make necessary expenditures to aid rehabilitation and may provide vocational rehabilitation to a dependent spouse.
BRITISH COLUMBIA	Accident Fund	Discretion of Board.	Rehabilitation Clinic established. Board may make necessary expenditures to aid rehabilitation and may provide vocational rehabilitation to a dependent spouse.
MANITOBA	Accident Fund	Discretion of Board.	Board may make necessary expenditures to aid rehabilitation.
NEW BRUNSWICK	Accident Fund	Discretion of Board.	Board operates physical rehabilitation center. Board may make necessary expenditures to aid rehabilitation.
NEWFOUNDLAND	Accident Fund	Discretion of Commission.	Commission may make necessary expenditures to aid rehabilitation.
NORTHWEST TERRITORIES	Accident Fund	$60 daily for first 7 days, $50 daily thereafter. Employer pays transportation cost.	Board may order rehabilitation and retraining.
NOVA SCOTIA	Accident Fund	Discretion of Board.	Board may make necessary expenditures to aid rehabilitation.
ONTARIO	Schedule 1 cases—Accident Fund Schedule 2 cases—employers individually	Discretion of Board. Discretion of Board.	No limit on amount in any one case or in any year for rehabilitation.
PRINCE EDWARD ISLAND	Accident Fund	Discretion of Board.	Board may make necessary expenditures to aid rehabilitation.
QUEBEC	Accident Fund Annex B—employers individually	Discretion of Board.	Board may make necessary expenditures to aid rehabilitation.
SASKATCHEWAN	Injury Fund	Discretion of Board.	Board provides on-the-job training, employer assistance, and physical and occupational therapy. Vocational training is also available for spouse.
YUKON TERRITORY	Compensation Fund	Subsistence in Commissioner's discretion.	Commissioner may make necessary expenditures to aid rehabilitation.
CANADIAN MERCHANT SEAMEN'S ACT	No fund established	No specific statutory provision	

Longshore *See Chart XII—Second-Injury Funds—Special Provisions.

PART 3
ADMINISTRATION

Because workers' compensation grew out of a public dissatisfaction with the manner in which job-related disabilities were handled, it is not surprising that the system was designed with an eye toward prompt and effective disposition of disability cases. Without an effective delivery system, many of the problems associated with the common law and employer liability statutes would remain.

This requirement for an effective delivery system remains valid today. Indeed the National Commission on State Workmen's Compensation Laws, in listing this as a major objective for a modern workers' compensation system, made special note that the achievement of the system's objectives for protecting against workplace disabilities was dependent upon an effective system for delivery of the benefits and services. This observation was reaffirmed by a second federal report on workers' compensation delivery in 1977 (**see Special Report in 1977 edition**) which emphasized the importance of efficient program administration.

As originally envisioned, the system would be self-administering. Over time, the complexities of the system proved too much for a laissez-faire approach, and states moved to take a more affirmative role in the administration of their laws.

Generally, the states have moved either to administer their laws through their court system, a special commission or board, or a combination of both. In Canada, administrative activities are carried out by a board. The principal areas of administration include—

- Supervision of compliance with statutory requirements for employers, employees, carriers, and medical and legal personnel.
- Investigation and decision on disputed claims and the supervision of medical and vocational rehabilitation.
- Management of second injury funds, special assessment requirements.
- Collection of data and evaluation of program performance.

ADMINISTRATION—NOTICE TO EMPLOYER—CLAIMS: CHART XI

Workers' compensation laws generally are administered by commissions or boards created by law. A few states provide for court administration.

Chart XI shows statutory provisions relating to administration. These include (1) time limits in which employers must be advised of injury, (2) time in which claims must be filed, (3) claims settlement conditions, and (4) regulation of attorney fees.

EMPLOYER'S REPORT OF ACCIDENTS: CHART XII

All employers are interested in requirements legally imposed on them to report injuries, and the penalty—if any—imposed for failure to report. In many jurisdictions, except for preliminary reports, the insured's company relieves an employer of this burden. Provisions for employers' reports of accidents are summarized in Chart XII.

SECOND-INJURY FUNDS: CHART XIII

Second-injury funds (or like arrangements) were developed to meet problems arising when a pre-existing injury combines with a second to produce disability greater than that caused by the latter alone. The funds (1) encourage hiring of the physically handicapped and (2) more equitably allocate costs of providing benefits to such employees. Second-injury employers pay compensation related primarily to the disability caused by the second injury alone—even though the employee receives a benefit relating to his combined disability; the difference is made up from a second-injury fund.

Where no special second-injury fund is provided by law, an employer in whose employ a second injury is sustained usually is liable for compensation due for the total resulting disability. Because of the potential increased cost of compensation benefits, an employer thus may be influenced to refuse employment to handicapped persons. It is for this reason that second-injury funds are advocated.

Most compensation laws now limit employer liability in second-injury cases to payment for the disability resulting from the second injury considered by itself—as shown in Chart XIII. The chart indicates the nature of the injury covered, portion payable by the employer and by the fund, and the sources of the fund.

ADMINISTRATION EXPENSES: CHART XIV

Chart XIV refers to (1) how costs of administration are met; (2) nature of assessments, if any; and (3) type of insurance provided for—whether private or state or both.

APPEAL PROVISIONS: CHART XV

Appeal provisions—including designation of the court of appeal and nature of the procedures—are summarized in Chart XV. Most Canadian jurisdictions use the inquiry system and do not provide for judicial appeals.

DIRECTORY: CHART XVI

The names and addresses of the administrators, boards, and commissioners for all jurisdictions reported upon by the *Analysis* are furnished.

CHART XI ADMINISTRATION—NOTICE TO EMPLOYER—CLAIMS January 1, 1985

JURISDICTION	ADMINISTRATION	NOTICE TO EMPLOYER	CLAIM FILING	HOW CLAIMS ARE SETTLED	AWARD EFFECT	REVIEW BY AGENCY	MODIFICATIONS	ATTORNEY'S FEES
ALABAMA	Courts	In writing within 5 days, excusable up to 90 days.	Within 2 years after accident, last payment, or removal of incapacity.	By agreement, which must conform substantially to terms of act unless court approves lesser sum. Disputed cases settled by courts.	Lien when registered with probate judge.		Award for more than 6 months at any time by agreement of parties with court approval.	Fixed by Circuit Court judge up to 15% of award.
ALASKA	Workmen's Compensation Board	In writing to Board and employer within 30 days, excusable.*	Within 2 years after knowledge of disability. Within 1 year after death or 2 years after last payment.	By Board.	Lien; recording required in 1 year. Interest and penalties accrue.	By Board.	Within 1 year after last payment of compensation or after rejection of claim.	Fixed by Board.
AMERICAN SAMOA	Workmen's Compensation Commission	In writing within 30 days; excusable.	Disability—within 1 year after injury or last payment. Death—within 1 year after death or claimant should know relation to employment.	Compensation without award except in disputed cases. Disputed cases settled by Commission.	Award is effective upon filing, enforceable by High Court.		By Commissioner on application or own motion within 1 year after last payment or rejection of claim. At any time in case of fraud.	Subject to approval of Commissioner or High Court. Court may assess costs against party that proceeds without reasonable grounds.
ARIZONA	Industrial Commission	Forthwith; excusable.	Within 1 year after injury or accrual of right; excusable.* Claim not barred if compensation has commenced.	By Commission.	Lien upon filing.	By administrative law judge within 30 days.	By administrative law judge on application.	Commission may regulate; maximum 25% of award.
ARKANSAS	Workers' Compensation Commission	Within 60 days; excusable.	Within 2 years after injury or death.	Compensation without award except in contested claims. Disputed claims heard by Commission, member, or administrative law judge, upon application.	Preference rights of unpaid wage claims.	By Commission from decision of member of administrative law judge within 30 days.	By Commission with 6 months of end of compensation period except in "joint settlements."	Sliding scale subject to approval by Commission; fees awarded in addition to compensation. Maximum $100 on appeal to full Commission; $250 on appeal to Court.
CALIFORNIA	Division of Industrial Accidents handles administration. Appeals Board handles judicial functions.	In writing within 30 days; excusable.	Disability—within 1 year from date of injury or last payment. Death—within 1 year after death to 240 weeks after injury.	By agreement on approval of Appeals Board which may order hearing. Disputed cases settled by Appeals Board on application.	Judgment on filing in Superior Court.	By Appeals Board from referee's findings.	Reconsideration within 20 days; no modification after 5 years.	Reasonable fee fixed by Appeals Board. If Court finds no reasonable basis for appeal, Appeals Board may award fees as supplementary award.
COLORADO	Director, Division of Labor and Employment.	Within 2 days; excusable (claimant loses one day's compensation for each day's delay).	Within 3 years after injury or death. Does not apply if compensation paid or if reasonable excuse in 5 years.	By agreement approved by Director or hearing officer. Disputed claims settled by hearing officer after hearing.	Judgment on filing copy of award against uninsured employer in District Court.	By Director or hearing officer within 15 days, then by Industrial Commission within 15 days.	By Division within 6 years from date of accident or 2 years after last payment (whichever is later).	
CONNECTICUT	Workers' Compensation Commissioners (one for each of 7 districts plus chairman and one at large).	Forthwith; excusable.*	Within 1 year after accident.** If death results within 2 years after accident or disease—within 2 years from accident or disease, or within 1 year from death (whichever is later).	By agreement, on approval of Commission. Disputed cases settled by Commission.	Judgment on filing in Superior Court. Award has preference rights of unpaid wages.	By Compensation Review Division within 10 days.***	By Commissioner during compensation period.	Subject to approval of Board.
DELAWARE	Industrial Accident Board.	If notice not given in 90 days no compensation due until notice or knowledge of injury.	Within 2 years after injury, death, or 5 years from last payment.	By agreement, on approval of Board. Disputed cases settled by Board after hearing.	Preference rights of unpaid claims.		By Board at any time, but no more often than once each 6 months.	30% of award or $2,250, whichever is less. Reasonable fee on appeals.
DISTRICT OF COLUMBIA	D.C. Office of Workers' Compensation.	In writing within 30 days; excusable.	Within 1 year after accident or last payment.	By Mayor.	Award is effective upon filing.	By Mayor on application or own motion.	By Mayor within 1 year after last payment or denial of claim.	Approval by Mayor.
DISTRICT OF COLUMBIA GOVERNMENT WORKERS	D.C. Office of Workers' Compensation.	48 hours; extended for cause.	Within 60 days after injury or 1 year after death; extended for cause.	By Office of Workers' Compensation.	Fund pays award.	By administrator upon own motion or application at any time.	By administrator.	Subject to approval by administrator.
FLORIDA	Division of Workers' Compensation.	In writing within 30 days; excusable.	Within 2 years after injury, death, or last payment.	By agreement, but Division may investigate. Upon application Division must order hearing conducted by deputy commissioner.	May be filed in proper court; execution or other process in Circuit Court.		By deputy commissioner on application or own motion within 2 years after last payment or claim rejection.*	Subject to approval of Division, deputy commissioner, or court; claimant pays own fee.
GEORGIA	Board of Workers' Compensation.	Within 30 days; excusable.	Within 1 year after injury, death, or medical care; or within 2 years after last payment.	Compensation without award except in contested claims. Disputed claims settled by Board, Director, or administrative law judge.	Judgment in Superior Court on certified copy of award.*	By Board on application within 30 days.	By Board on application or own motion within 2 years after final payment. Final settlement may not be modified.	Fees in excess of $100 subject to Board approval. Board may assess attorney's fees against any party who proceeds without reasonable grounds or fails to provide income benefits as required.
GUAM	Workers' Compensation Commission.	In writing within 30 days; excusable.	Within 1 year after injury, death, or last payment.	Compensation without award within 14 days after knowledge of injury or death. Controverted claims are settled by the Commission.	Lien against assets of carrier or employer. Enforcement of final order by Superior Court.		By Commissioner within 1 year after last payment or rejection of claim, on own motion or application.	Subject to approval of Commissioner or Court on review. Costs assessed against party who proceeds without reasonable grounds.
HAWAII	Director of Labor and Industrial Relations.	Forthwith; excusable.	2 years after date on which effects of injury become manifest, but within 5 years after date of accident causing injury.	Agreements must be prepared by Director in accord with law. If not agreed, Director makes award.	Judgment on filing in Circuit Court.	By Appellate Board within 20 days.	By Director on own motion or on application of any party within 20 days but no later than 10 years after decision.	Subject to approval of Director.
IDAHO	Industrial Commission.	In writing within 60 days after accident; excusable.	Within 1 year after accident or death.	By agreement, subject to approval of Commission. Disputed cases settled by Commission or member after hearing.	Judgment in District Court on filing certified copy of award.	By Commission within 20 days.	By Commission within 5 years of accident, but no more often than once in 6 months.	Subject to approval of Commission.

Alaska *Burden of proof shifted to claimant if late notice excused.

Ariz. *Limit on filing runs from when injury is manifest or when claimant knows should know relation to employment; tolled during incapacity.

Ark. *A "joint settlement" is authorized where all parties petition an immediate final settlement by the Commission. In such cases, an order of the Commission is final except as to appeals to the courts, but an order of the Commission allowing or denying such petition is not appealable.

Conn. *Lack of notice excused if voluntary agreement, or medical treatment within 1 year after accident.
**Within 3 years after first manifestation of disease (see Chart IV).
***The 9 Commissioners comprise the Review Division (appointed in 3-member panels).

Fla. *Approved lump sum settlement final if claim initially controverted. Expires 7-1-86.

Ga. *7 percent interest on all accrued amounts of awards. Interest runs on Superior Court judgment in event of appeal.

CHART XI ☐ ADMINISTRATION—NOTICE TO EMPLOYER—CLAIMS ☐ January 1, 1985 (continued)

JURISDICTION	ADMINISTRATION	NOTICE TO EMPLOYER	CLAIM FILING	HOW CLAIMS ARE SETTLED	AWARD EFFECT	REVIEW BY AGENCY	MODIFICATIONS	ATTORNEY'S FEES
ILLINOIS	Industrial Commission	Within 45 days. For radiological injury, within 90 days after employee knows or suspects that he has received an excessive dose of radiation.	Barred after 3 years from injury or death, or 2 years after last payment, whichever is later. Radiation and asbestosis—within 25 years after last exposure for injury; within 1 year after death.*	By agreement, subject to approval of Commission, after 7 days from injury. Disputed cases settled by arbitrator.	Judgment in Circuit Court on filing certified copy of award.	By Commission from decision of arbitrator within 15 days.	By Commission within 30 months of agreement or award.	Maximum 20% of compensation paid, up to 364 weeks of permanent total disability. Unreasonable or vexatious delay by employer or carrier in payment of compensation may be penalized by payment of attorney's fees.
INDIANA	Industrial Board	In writing as soon as practicable; excusable. Compensation accrues from date of notice if given after 30 days.	Within 2 years after injury or death. Radiation—2 years after worker knows/should know relation to employment.	By agreement, after 7 days from injury or at any time after death, subject to approval of Board. Disputed cases settled by Board or member on application.	Judgment in Circuit or Superior Court on certified copy of agreement or award. Preference rights of unpaid wages.	By full Board within 20 days after award.	By Board on application or own motion, within 2 years after last day for which compensation is paid.	Subject to approval of Board. Paid out of award unless bad faith by employer or lack of diligence, in which case minimum fee is $150.
IOWA	Industrial Commissioner	Within 90 days after injury unless employer has actual knowledge.	Within 2 years after injury or 3 years after last payment.	Compensation without award except in contested cases, but claim may be settled by agreement, subject to approval of Industrial Commissioner.	Judgment in District Court on filing certified copy of agreement or decision.	By Commissioner from decision of Deputy Commissioner within 20 days.	By Commissioner within 3 years from last payment, award, or noncommuted settlement.	Subject to Commissioner's approval.
KANSAS	Division of Workers Compensation	Within 10 days; excusable.	Claim must be served on employer within 200 days after accident or last payment, or within 1 year after death for death within 5 years after accident. Application for hearing must be filed with Division within 3 years after accident or within 2 years after last payment, whichever is later.*	By agreement, subject to approval of Director. Disputed cases settled by administrative law judge after hearing, subject to an appeal to the Director.	Judgment in district court on filing certified copy of award.	By Director at any time before final payment, on application.	By Director, before final payment and within 1 year of prior approval, on application.	Maximum 25% of recovery in matters before Director or district court, subject to approval of Director pursuant to written contract which must be filed.
KENTUCKY	Workers' Compensation Board	In writing as soon as practicable; excusable.	Within 2 years after accident or death. If paid voluntarily—within 2 years after suspension or accident, whichever is later. Limits tolled during minority or incapacity.	By agreement, subject to approval of Board. Disputed cases settled by full Board.	Judgment in Circuit Court on filing certified copy of award or approved agreement.	By Board.	By Board at any time, on application or own motion.	Subject to Board's approval. Maximum $6,500, except $750 maximum in uncontested occupational disease case. Court costs and attorney's fees may be assessed against party who proceeds without reasonable grounds.
LOUISIANA	Office of Workers' Compensation and courts	Within 30 days (12 months if employer fails to post requirements); excusable.	Within 1 year after accident, death, or last payment; 2 years for delayed development of injury; 3 years from last payment in cases of partial disability.	By agreement, subject to approval of Director. Disputed cases settled by the Director.	Approved settlement entered as judgment.		By Director or court after 6 months or any time by agreement.	Subject to Director's approval; maximum 20% of award on first $10,000 and 10 percent of any additional amount.
MAINE	Workers' Compensation Commission	Within 30 days after injury; within 3 months after death; excusable.	Within 2 years after accident or last payment,** or within 1 year after death. If mistake of fact, within a reasonable time; but no more than 10 years after last payment in any case.	Compensation without award except in contested cases. Disputed cases settled by Commission.	Decision enforceable in Superior Court by suitable process.	By single commissioner, then by Appellate Division*	On application; approved lump sum is final.	Commission may assess against employer if services were necessary.
MARYLAND	Workmen's Compensation Commission	Within 10 days after injury (30 days for hernia); within 30 days after death; excusable.	Within 60 days after disability begins; excusable to 2 years. Within 18 months after death. Not barred for 3 years if treated by physician acting for employer.*	By agreement, subject to approval of Commission. Disputed cases settled by Commission or arbitration committee; hearing required on application.		By Commission from arbitration committee on application.	From final award, on application or own motion within 5 years.	Subject to approval of Commission.
MASSACHUSETTS	Division of Industrial Accidents, under supervision of Industrial Accidents Board	In writing as soon as practicable; excusable.	Within one year after injury or death; excusable.	By agreement, subject to approval of Division. Disputed cases settled by member of Division after preliminary conference prior to hearing.	Decree in Superior Court on certified copy of agreement or decision.	By reviewing Board from decision of member.	On application at any time; limited in death cases.	Subject to approval of Division.
MICHIGAN	Bureau of Workers' Disability Compensation	Within 90 days after injury; excusable.	Within 2 years after injury, death, recovery from incapacity, or after worker knows/should know relation of disease to employment.*	Compensation without award except in contested cases. Disputed cases settled by administrative law judge (by Bureau if "small dispute").	Judgment in Circuit Court on filing certified copy of award.	By Appeal Board within 15 days from decision of administrative law judge.		Subject to approval of Bureau based on administrative rules and schedules.
MINNESOTA	Commissioner, Department of Labor and Industry as head of Workers' Compensation Division	In writing within 14 days unless employer has actual knowledge; excusable up to 180 days (later if mental or physical incapacity).	Within 3 years after employer's report; no more than 6 years from date of injury. Radiation—within 3 years after employee knows cause of disability.*	By agreement prior to hearing. Disputed cases settled by compensation judge after hearing subject to appeal.	Judgment in District Court on filing certified copy of award.	Appeals must be filed with Workers' Compensation Court of Appeals within 30 days from decision of compensation judge.	By petition to Court of Appeals to vacate.	Approval by Division, compensation judge, or district court judge required for fee greater than 25% of first $4,000 compensation and 20% thereafter, up to a maximum fee of $6,500.
MISSISSIPPI	Workers' Compensation Commission	Within 30 days; excusable.	Within 2 years after injury or death.	Compensation without award except in contested claims. Disputed claims heard by Commission member or referee on application.	Lien against assets and has preference rights of unpaid wages.	By Commission within 20 days from decision of administrative judge.	By Commission on application or own motion within 1 year from last payment or claim rejection.	Subject to approval of Commission or court.
MISSOURI	Industrial Commission through Division of Workers' Compensation	In writing within 30 days unless employer has actual knowledge. Division notifies worker of rights.	Within 2 years after injury or death, or last payment (3 years if no report filed).	By agreement, after 7 days from injury or death, subject to approval of administrative law judge or Commission. Disputed cases settled by administrative law judge.	Judgment in Circuit Court on certified copy of memorandum of agreement, order, decision, or award of Division or Commission.	By Industrial Commission within 20 days.	By Commission on application or own motion, after notice and hearing.	Commission or Division may allow reasonable fee.

Ill. *Death from radiation must occur within 2 years from last exposure if not compensation or Bureau within 2 years after injury, death, paid.

Kan. *If employer fails to report accident within 28 days, claim must be served on employer within 1 year after accident, and application must be filed with Division within 3 years after employer reports accident. *Childress v. Childress Painting Co.*, 587 P.2d 637 (Kansas S. Ct. 1979).

Maine *Overpayments are made pending review and may be recovered in lawsuit by employer if employee resumes work. Any award or agreement may be reopened within 30 days on grounds of newly discovered evidence.
**Two year period does not run until employer who has actual knowledge of injury files report.

Md. *Employer or insurer who receives completed claim form must send it to Commission immediately and may not advise claimant that claim is denied.

Mich. *No claim valid unless made within 2 years after injury, manifestation of disability, or last employment, whichever is later. Deadline suspended if worker receives any disability benefits.

Minn. *Employer who threatens to discharge claimant for filing claim is subject to civil suit for treble damages, costs, and attorney fees.

CHART XI ☐ ADMINISTRATION—NOTICE TO EMPLOYER—CLAIMS ☐ January 1, 1985 (continued)

JURISDICTION	ADMINISTRATION	NOTICE TO EMPLOYER	CLAIM FILING	HOW CLAIMS ARE SETTLED	AWARD EFFECT	REVIEW BY AGENCY	MODIFICATIONS	ATTORNEY'S FEES
MONTANA	Division of Workers' Compensation	For injuries not resulting in death, within 60 days unless employer has actual knowledge.	Verified claim within 12 months after accident; Division may grant additional 24 months.	By agreement subject to approval of Division. Disputed cases settled by Workers' Compensation Judge.	Lien on deposit of employer or insurer.	By W.C. Judge. 10 days to disapprove final compromise settlement.	By W. C. judge within 4 years after final award. Final compromise settlement not reviewable.	May be fixed by Division or W. C. judge. Added to successful claimant's award on appeals.
NEBRASKA	Workmen's Compensation Court	In writing as soon as practicable; excusable.	Within 2 years after injury, death, removal of incapacity, or last payment. For minors within 2 years after becoming 19.	By agreement with consent of insurer, but must be in accordance with Act. Disputed claims submitted to Compensation Court for hearing. Lump sums approved by Compensation Court and district court.	Judgment in District Court on filing certified copy of order or award.	By Compensation Court within 14 days after order or award of Judge.	By agreement, subject to approval of Compensation Court; or on application after 6 months by Compensation Court.	Subject to approval of judge of Compensation Court or Supreme Court (for lien purposes).
NEVADA	Department of Industrial Relations	Forthwith*.	Within 90 days after accident, 1 year after death	By agreement, in conformity with Act, subject to approval of insurer.		By Department of Administration.	Medical investigation may be conducted at any time based on changed circumstances.	District Court may assess costs and attorney's fees if appeal is frivolous.
NEW HAMPSHIRE	Department of Labor	As soon as practicable but no later than 2 years after date of injury.	Within 2 years after injury or death, and claimant knows/ should know of injury and relation to employment.	Compensation without award except in contested cases.		By Commissioner. Special review board for state employees.	Commissioner of Labor may modify no later than 4 years after last indemnity payment.	Subject to approval of Labor Commissioner or court. Attorney's fees and interest to successful claimant on appeal.
NEW JERSEY	Division of Workers' Compensation	Within 14 days; excusable up to 90 days. Separate provisions for occupational diseases.	Within 2 years after accident, death, last payment, or default. Separate provisions for occupational diseases.	By agreement, subject to approval of Division. Disputed cases settled by Division.	On filing with county clerk has effect of County Court judgment; may be docketed in Superior Court.		By agreement or on application for review within 2 years of last payment. Settlement approved by compensation judge is final and conclusive.	Not over 20 percent before Division. Court may fix reasonable fee on appeal.*
NEW MEXICO	Courts	In writing within 30 days; excusable up to 60 days, and for knowledge.	Within 1 year after notice, death, or failure to pay. Time limit tolled while in same employment.	By agreement, subject to approval of District Court. Disputed cases settled by court.	Award is judgment.		Provision only for decrease or termination	10 percent except on successful contest. Court may allow additional fee payable by employer.
NEW YORK	Workers' Compensation Board	In writing within 30 days; excusable.	Within 2 years after accident or death. When advance payment is made, claim is not barred.	Compensation without award within 18 days after disability, except in contested claims. Disputed claims settled by referee or Board. Hearing is mandatory upon application.	Payment within 10 days after decision, except in event of appeal. Judgment on filing certified copy of award in default.	Full Board review on application within 30 days after split decision.	By Board at any time. Subject to special conditions.	As a lien on award if approved by Board.
NORTH CAROLINA	Industrial Commission	In writing within 30 days; excusable.	Within 24 months after accident	By agreement, after 7 days from injury, or at any time in case of death, subject to approval of Commission. Disputed cases settled by Commission or member.	Judgment in Superior Court on filing certified copy of agreement or decision.	By Commission upon application within 15 days after award.	By Commission on application or own motion, within 2 years.	Subject to approval of Commission. Commission may assess attorney's fees and court costs against party who proceeds without reasonable ground.
NORTH DAKOTA	Workmen's Compensation Bureau	None required.	Within 1 year after injury or 2 years after death	By Bureau	Fund pays award and has liquidated claim against defaulting uninsured employers.		By Bureau at any time on application or own motion	Determined by schedule adopted by Bureau; trial judge fixes on appeal but must give consideration to amount allowed by Bureau.
OHIO	Bureau of Workers' Compensation and Industrial Commission	None required except to self-insurers.	Within 2 years after accident, injury, or death	By Industrial Commission after hearing	Fund or self insurer pays award after judgment.	By regional review board, then Commission, within 20 days from receipt of decision.	By Commission or Bureau within 6 years after injury (no lost time) or 10 years from last payment or death (lost time).	Court fixes on appeals and in disputes. Maximum 20% of award up to $3,000, plus 10% of balance; maximum $1,500.*
OKLAHOMA	Workers' Compensation Court and an Administrator	In writing within 30 days; excusable.*	Within 1 year after injury or last payment. Death claims—within 1 year after death or last payment.**	By agreement, after 3-day disability, subject to approval of Workers' Compensation Court. Disputed cases settled by Court.	Judgment in District Court on certified copy after 10-day default.	By Workers' Compensation Court within 10 days	By W.C. Court on application or own motion at any time. May reopen case within maximum number of weeks for which award is possible.	W.C. Court must approve and direct payment; 10% maximum for temporary disability; 20% maximum for permanent disability or death.
OREGON	Workers' Compensation Department	In writing within 30 days; excusable.	Within 1 year after accident, last payment, or last date of medical services.	Compensation due within 14 days after knowledge of injury or death. Insurer has 60 days to accept or deny claim but must pay up to date of denial if denied after 14 days. Department makes permanent disability award.	Payment on award within 30 days after order.	By referee on application within 60 days; further appeal to Board within 30 days.	By Board on own motion or on application of employee within 5 years.	Subject to approval of hearing officer, Board, or Court. Board establishes fee schedule.
PENNSYLVANIA	Bureau of Workers' Compensation*	Within 21 days, excusable to 120 days. No compensation due until notice is given.	Within 3 years after injury, death, or last payment.	By agreement, after 7 days from injury, subject to Department approval. Disputed cases heard by Referee with appeals to Board.	Judgment in court on filing award or agreement.	By Appeal Board from referee's decision within 20 days	By Department on application within statutory time limits.	Subject to approval of referee, Appeal Board, or court.
PUERTO RICO	Manager of the State Insurance Fund and Industrial Commission	None required.	As soon as possible within 5 days from accident.		Fund pays award.		By Commission, within 30 days after copy of Manager's decision is served on the employee. Reconsideration on own motion or upon petition of interested party within 10 days.	No attorneys required in hearings, but if requested by employee, they are paid a percentage of the award fixed by the Commission, court, or Fund.
RHODE ISLAND	Workers' Compensation Commission	In writing within 30 days; excusable.	Within 3 years after injury, manifestation, knowledge of injury, death, or removal of incapacity.	By agreement, By Commissioner with appeal to full Commission.	Agreement enforceable by Commission and Superior Court.	By Commission within 48 hours	By Commission during compensation period or within 10 years after compensation period has ceased, on own motion or on petition of either party.	Subject to approval of Commission. Maximum 15% of lump sum or structured settlements.

Nev. *For occupational disease, within 90 days after knowledge of disability and relation to employment or within 1 year after death.

N.J. *Based on excess over amount of award tendered in good faith a reasonable time before a hearing.

Ohio *Commission must fix attorney's fees in controversies, approve method of payment, and allow a reasonable fee upon application for review. In other cases, fees are negotiated between client and attorney.

Okla. *If employer has actual notice of injury, statute of limitations is tolled until employer informs worker of right to file a claim.
**Employer that discriminates against claimant is liable for damages.

Pa. *Workers' Compensation Advisory Council recommends changes in administration of law.

CHART XI □ ADMINISTRATION—NOTICE TO EMPLOYER—CLAIMS □ January 1, 1985 (continued)

JURISDICTION	ADMINISTRATION	NOTICE TO EMPLOYER	CLAIM FILING	HOW CLAIMS ARE SETTLED	AWARD EFFECT	REVIEW BY AGENCY	MODIFICATIONS	ATTORNEY'S FEES
SOUTH CAROLINA	Industrial Commission—2 divisions: Judicial Division and Administration Department	In writing as soon as practicable or within 90 days; excusable.	Within 2 years after accident or 1 year after death.	By agreement, after 7 days from date of injury or any time in case of death, subject to approval of Commission or member, after hearing, upon application.	Judgment in Common Pleas Court on certified copy of agreement or award.	By 3-member panel within 14 days after award.	To Commission on application or own motion within 12 months from last payment.	Subject to approval of Commission.
SOUTH DAKOTA	Division of Labor and Management	In writing as soon as practicable within 30 days; excusable.	Within 2 years after notice of intention to deny coverage.	By agreement, if not disapproved by Director, within 20 days. Disputed cases settled by Commissioner after Hearing, upon application.	Judgment in Circuit Court on certified copy of agreement or decision.	By Labor Secretary within 10 days.	By Secretary by application.	Subject to approval of Director of Division of Labor and Management.
TENNESSEE	Courts and Workers' Compensation Division*	In writing within 30 days; excusable up to 1 year.	Within 1 year after accident. Dependents—within 1 year after employer's notice accepting liability.	By agreement, subject to approval of County Court. Disputed cases determined by Circuit Court.	Judgment in Circuit Court on approved agreement.		By court, on application after 6 months. Award payable for more than 6 months may be modified by agreement approved by court.	Subject to approval of court; maximum 20% of recovery or award.
TEXAS	Industrial Accident Board	Within 30 days; excusable.	Within 1 year after injury, death, or removal of incapacity; excusable.*	By agreement, in conformity to Act, subject to approval of Board (compromise agreements may be approved). Disputed cases settled by Board.	Collectible by suit.		By Board at any time during compensation period, on application or own motion.	Subject to approval of Board or court but not to exceed 25% of recovery.
UTAH	Industrial Commission	Within 48 hours, excusable up to 1 year.	Within 1 year after death; within 3 years after disability or last payment. Payment of benefits after filing injury report tolls limitation on claim filing until denial of liability.*	By Industrial Commission.	Lien from time of docketing in District Court.	By Commission within 15 days.	By Commission at any time. Award may be reviewed upon showing change within 2 years for silicosis—if complicated, 5 years.	Fixed by Commission.
VERMONT	Commissioner of Labor and Industry	In writing as soon as practicable; excusable.	Within 6 months after injury, death, loss of damage suit, or removal of incapacity; excusable.	By agreement, in conformity to Act, subject to approval of Commissioner (compromise agreements may be approved). Disputed cases settled by Commissioner.	Judgment in county court on certified copy of agreement or award.	By Commissioner on application within 6 months.	By Commissioner on own motion or application at any time.	Commissioner may award to successful claimant, and on appeal, 12% interest on contested part of award.
VIRGIN ISLANDS	Commissioner of Labor	In writing within 48 hours; extendable up to 30 days. Occupational disease—within 30 days from first manifestation; extendable to 90 days.	Within 60 days after injury.	By Commissioner; disputed cases settled after hearing (subject to appeal to any Court of Competent Jurisdiction).	First priority lien on employer's assets.	By Deputy Commissioner.	By Deputy Commissioner.	Subject to approval of Commissioner.
VIRGINIA	Industrial Commission	In writing within 30 days.	Within 2 years after accident or 2 years after death. Payment of benefits after filing injury report tolls limitation on claim filing.	By agreement, after 10 days from injury, or at any time after death, subject to approval of Commission. Disputed cases settled by Commission or member after hearing upon application.	Judgment in Circuit Court on certified copy of agreement or award.	By full Commission within 20 days after opinion.	By Commission on own motion or application within 2 years of last payment, or 3 years for scheduled injuries.	Subject to approval of Commission.
WASHINGTON	Department of Labor and Industries	Immediately.	Within 2 years after physician's written notice to claimant.	By Department of Labor and Industries*		By Board of Industrial Insurance Appeals within 60 days on application.	By Department within 7 years, on application or own motion, 10 years for loss of vision claims.	By Appeals Board upon application; reviewable by Superior Court.
WEST VIRGINIA	Workers' Compensation Commissioner	Immediately.	Within 2 years after injury or death; disease claims—within 3 years after exposure or knowledge, whichever is later, or death; extended for cause.	By Commissioner; hearing upon application.		By Appeal Board within 30 days, or 60 days without notice.	By Commissioner within set time limits, on written application; subject to review by Appeal Board.*	Maximum fees established; limited to 20% of award up to 208 weeks of benefits.
WISCONSIN	Workers' Compensation Division	Within 30 days; excusable.	Within 2 years after injury or death. Excusable if employer knew of disability. All rights barred after 12 years from injury, death, or last payment.	By payment of amount due. Compromise subject to review by Department within 1 year. Disputed cases settled by Department.	Judgment in Circuit Court on certified copy of award.	By Commission within 21 days from examiner.	By Commission on its own motion within 21 days; compromises may be modified within 1 year. If occupational disease, subject to review within 6 years.	Limited to 20% of amount in dispute. If admitted liability, not to exceed 10% or $100.
WYOMING	Courts and Division of Worker's Compensation	Within 24 hours (also within 20 days to the court), excusable.	Within 1 year after injury or discovery of injury not readily apparent.	By District Court with right of jury trial in certain cases.			By court within 2 years or during time payments are made on application.	Reasonable fee as allowed by court.
F.E.C.A.	Division of Federal Employees' Compensation, O.W.C.P., U.S. Department of Labor	48 hours; extended for cause.	Within 60 days after injury or 1 year after death; extended for cause.	By Division.	Fund pays award.	By Secretary of Labor on own motion or application at any time.	By Secretary of Labor or Employees' Compensation Appeals Board on review.	Subject to approval by Division or Appeals Board.
LONGSHORE ACT	Division of Longshore and Harbor Workers' Compensation, O.W.C.P., U.S. Department of Labor	Within 30 days.	Within 1 year after injury or death.	By Deputy Commissioner (by agreement) or administrative law judge (formal hearing).	Award is effective on filing.	By Deputy Commissioner upon own motion or application and by Benefits Review Board on Appeal.	By Deputy Commissioner or court on review.	Approval by Deputy Commissioner, court, or Review Board where service given.

[1]Modification of award due to aggravation or recurrence of injury may be based on earnings and benefits in effect at that time.

Tenn. *Tennessee Claims Commission administers claims by State employers.

Texas *Employer who discriminates against claimant is liable for damages.

Utah *Claim must be filed within 8 years after injury.

Wash. *Provision is made for recoupment of benefits paid through mistake or fraud.

W. Va. *Within 2 years for fatal or non-fatal cases, 5 years for temporary total disability or in cases of no awards.

CHART XI ☐ ADMINISTRATION—NOTICE TO EMPLOYER—CLAIMS ☐ January 1, 1985 (continued)

JURISDICTION	ADMINISTRATION	NOTICE TO EMPLOYER	CLAIM FILING	HOW CLAIMS ARE SETTLED	AWARD EFFECT	REVIEW BY AGENCY	MODIFICATIONS	ATTORNEY'S FEES
ALBERTA	Workers' Compensation Board	As soon as practicable	Within 1 year after injury or death; excusable.	By Claims Adjudicator.	Fund pays award.	By review committee on request, then by full Board, at any time.	By Board at any time on application or own motion.	
BRITISH COLUMBIA	Workers' Compensation Board	As soon as practicable	Within 1 year after injury, death, or disablement by disease; excusable.*	By Board.	Fund pays award.	By Board of Review within 90 days. From Board of Review to commissioners of the Board within 60 days.	By Board at any time.	Board may award expenses of proceeding to successful party.**
MANITOBA	Workers' Compensation Board	In writing as soon as practicable but no later than 30 days; excusable.	Within 12 months after accident or death; excusable.	By Claims Adjudicator.	Fund pays award.	At any time.	By Board.	(•)
NEW BRUNSWICK	Workers' Compensation Board	As soon as practicable.	Within 1 year after injury or 6 months after death; excusable.	By Board.	Fund pays award.	At any time.	By Board[1]	
NEWFOUNDLAND	Workers' Compensation Commission	As soon as practicable.	Within 6 months after injury or death.	By Commission.	Fund pays award.	At any time.	By Commission.	
NORTHWEST TERRITORIES	Workers' Compensation Board.	As soon as practicable.	Within 1 year after injury or death; excusable if as soon as practicable; maximum 3 years after death.	By Board.	Fund pays award.	At any time.	By Board.	
NOVA SCOTIA	Workers' Compensation Board	As soon as practicable	Within 6 months after injury or death; excusable.	By Board.	Fund pays award.	At any time.	By Board at any time or Workers' Compensation Appeal Board within 1 year.	(•)
ONTARIO	Workers' Compensation Board	As soon as practicable	Within 6 months after injury or death.	By Board.	Fund pays award.	At any time.	By Board.	
PRINCE EDWARD ISLAND	Workers' Compensation Board	As soon as practicable.	Within 6 months after injury or death.	By Board.	Fund pays award.	At any time.	By Board[1]	
QUEBEC	Commission de la Santé et de la Sécurité du travail	As soon as practicable.	Within 6 months after injury or death.	By Commission.	Fund pays award.	At any time.	By Commission.	
SASKATCHEWAN	Workers' Compensation Board	As soon as practicable; excusable.	Within 6 months after injury or death; excusable.	By Board.	Fund pays award.	At any time.	By Board.	(•)
YUKON TERRITORY	Workers' Compensation Board.	As soon as practicable.	Within 1 year after injury or death; excusable if proof of disability or death is furnished within 3 years after accident and claim is a just one.	By Board.	Fund pays award.	By Board at any time.	By Board.	
CANADIAN MERCHANT SEAMEN'S ACT	Merchant Seamen Compensation Board.	As soon as practicable.	Within 6 months after injury or death; excusable.	By Board.	Judgment in county, district, or Quebec Superior Court on certified copy of award.	At any time.	By Board.	Board may award "expenses of proceeding" to successful party.

[1]Modification of award due to aggravation or recurrence of injury may be based on earnings and benefits in effect at that time.

B.C. *After 3 years, compensation is payable only from date of filing.
**Government-appointed advisors handle workers' and employers' claims.

Man. *Government-appointed adviser handles workers' claims.
N.S. *Gov.-in-Council may appoint counselor to assist claimants.
Sask. *Government-appointed adviser handles workers' claims.

CHART XII EMPLOYER'S REPORT OF ACCIDENTS January 1, 1985

JURISDICTION	KEEPING OF ACCIDENT RECORDS BY EMPLOYER[1]	REPORTING REQUIREMENTS[1]		PENALTIES FOR FAILURE TO REPORT		
		INJURIES COVERED	TIME LIMIT	FINES MAXIMUM	FINES MINIMUM	IMPRISONMENT
ALABAMA	Required	Death or disability exceeding 3 days	Within 15 days			
ALASKA	Required	Death or injury or disease or infection	Within 10 days	(•)		
AMERICAN SAMOA	Required	Injury or death	Within 10 days*	$500		
ARIZONA	Not required	All injuries	Immediately and as required			Petty offense
ARKANSAS	Required	Injury or death	Within 10 days and as required	100		
CALIFORNIA	Required	Death cases or serious injuries	Immediately*	100	25	
		1 day or more than first aid	As prescribed			
		Occupational diseases or pesticide poisoning	Within 5 days			
COLORADO	Required	Death cases	Immediately	100 per day		
		All injuries causing lost time of 3 days or more*	Within 10 days*			
CONNECTICUT	Required	Disability of 1 day or more	7 days, or as directed	250		
DELAWARE	Required	Death cases or injuries requiring hospitalization	Within 48 hours*	100	25	Up to 20 days
		Other injuries	Within 10 days*			
DISTRICT OF COLUMBIA	Required	All injuries	Within 10 days	1,000		
FLORIDA	Required	Death cases	Within 24 hours*	100		
		All injuries	Within 10 days and as required*			
GEORGIA	Required	All injuries requiring medical or surgical treatment or causing over 7 days' absence	Within 10 days*	100**		
GUAM	Required	Injury or death	Within 10 days*	500**		
HAWAII	Required	Death cases	Within 48 hours	100		Up to 90 days
		1 day of absence	Within 7 days			
IDAHO	Required	All injuries requiring medical treatment or causing 1 day's absence	As soon as practicable but not later than 10 days after the accident[2]	300		Up to 6 months
ILLINOIS	Required	Death cases or serious injuries	Within 2 working days	200	100	Misdemeanor
		Disability of over 1 day	Between 15th and 25th of month			
		Permanent disability	Soon as determinable			
INDIANA	Required	Disability of 1 day or more	Within 7 days*	500		
IOWA	Required	Disability of more than 3 days	Within 4 days	100	100	
KANSAS	Not required	Death cases	Within 28 days	(•)		
		Disability of 1 day or more	Within 28 days			
KENTUCKY	Required	Disability of more than 1 day	Within 7 days[2]	25		
LOUISIANA	Required*	Lost time over 1 week or death	Within 10 days			
MAINE	Not required	All injuries	Within 7 days	100		
MARYLAND	Not required	Disability of more than 3 days	Within 10 days	50		
MASSACHUSETTS	Required	All injuries	Within 48 hours[2]	100		
MICHIGAN	Required	Death cases, disabilities of 7 days or more, and specific losses	Immediately			
MINNESOTA	Required	Death or serious injury	Within 48 hours	200		
		Disability of 3 days or more	Within 14 days			
MISSISSIPPI	Required	Disability of one day or working shift	Within 10 days	100*		
MISSOURI	Not required	Death or injury	Within 10 days*	500	50	1 week to 1 year
MONTANA	Required	All injuries	Within 6 days*			
NEBRASKA	Required	Death cases*	Within 48 hours*	1,000*		Up to 6 months
		All injuries*	Within 7 days*			
NEVADA	Required	All injuries	Within 6 working days	250, each failure		
NEW HAMPSHIRE	Required	All injuries	Within 5 days	100	25	
NEW JERSEY	Required	All injuries*	Immediately	50	10	

[1]Federal Occupational Safety and Health Act of 1970 established uniform requirements and forms to meet its criteria for all businesses affecting interstate commerce to be used for statistical purposes and compliance with the Act. 12 U.S.C. §651.

[2]Supplemental report required after 60 days, or upon termination of upon termination of disability.

[3]Attending physician also required to make periodic reports to Board.

[4]Supplemental report within 24 hours after returning to work or knowledge that worker is able to return.

Alaska *20% of unpaid amounts due. Supplemental report due within 1 year after injury, then annually, or after final payment.

Am. Samoa *Employer must also notify Commissioner upon first payment and suspension of payment, and within 16 days after final payment.

Calif. *To Safety Division, in form required by federal Occupational Safety and Health Act.

Colo. *Failure to report tolls time limit for claims. Disability of less than 3 days must be reported to insurer.

Del. *Supplemental report due on termination of disability.

Fla. *Report to carrier within 7 days; to Division within 10 days if injury caused employee to lose 7 or more days. Supplemental report within 30 days after final payment.

Ga. *Supplemental report on first payment and suspension of payment, and within 30 days after final payment. **For each refusal or willful neglect to report.

Guam *Failure to report tolls limits for claims. **For each refusal or willful neglect to report.

Ind. *Supplemental report within 10 days after termination of compensation period.

Kan. *Failure to report tolls time limit for claims. *Childress v. Childress Painting Co.* 1979).

La. *Employers with more than 10 employees must also report within 90 days after death, illness, or injury causing loss of consciousness, restriction of work or motion, job transfer, or medical treatment other than first aid; violation is misdemeanor subject to fine up to $500.

Miss. *Added to compensation.

Mo. *Supplemental report within 1 month after original notice to Division.

Mont. *Insurance carrier also required to report (by rule).

Neb. *Report may be made by insurance carrier or employer. Failure to report tolls time limits.

N.J. *Uninsured employers are required to report compensable injuries only. If insured, carrier is also required to make report.

CHART XII ☐ EMPLOYER'S REPORT OF ACCIDENTS ☐ January 1, 1984 (continued)

JURISDICTION	KEEPING OF ACCIDENT RECORDS BY EMPLOYER[1]	REPORTING REQUIREMENTS[1]		PENALTIES FOR FAILURE TO REPORT		
		INJURIES COVERED	TIME LIMIT	FINES MAXIMUM	FINES MINIMUM	IMPRISONMENT
NEW MEXICO	Required	Compensable injuries*	Within 10 days	$100	$ 25	
		All injuries**	Within 30 days			
NEW YORK	Required*	Disability of 1 day or more or requiring medical care beyond two first aid treatments	Within 10 days	500		
		All injuries	As required			
NORTH CAROLINA	Required	Disability of more than 1 day	Within 5 days[2]	25	5	
NORTH DAKOTA	Not required	No statutory provision				
OHIO	Required	Injuries causing 7 days total disability or more	Within 1 week	250		Up to 30 days
OKLAHOMA	Required	All injuries causing lost time or requiring treatment away from worksite	Within 10 days or a reasonable time	500		
OREGON	Required	All serious injuries	Within 5 days	(-)		
PENNSYLVANIA	Required	Death cases	Within 48 hours	100		Up to 30 days
		Disability of 1 day or more	After 7 days but not later than 10 days			
PUERTO RICO	Required	All injuries	Within 5 days	100		
RHODE ISLAND	Not required	Death cases	Within 48 hours	50		
		Disability of 3 days or more	Within 10 days*			
SOUTH CAROLINA	Required	All injuries requiring medical attention	Within 10 days[2]	50	10	
SOUTH DAKOTA	Required	(-)	Within 10 days	100		Or 30 days
TENNESSEE	Not required	Disability of 7 days or more	Within 14 days	100	50	
TEXAS	Required	Disability of more than 1 day	Within 8 days[2]	500		
UTAH	Required	All injuries	Within 1 week	500		
VERMONT	Required	Disability of 1 day or more or requiring medical care	Within 72 hours[2]	25		
VIRGIN ISLANDS	Required	Injury or disease	Within 8 days	500		Up to 6 months
VIRGINIA	Required	All injuries	Within 10 days[2]	250		
WASHINGTON	Not required	All injuries requiring medical attention	Immediately	$100 per offense		
WEST VIRGINIA	Not required	All injuries	Within 5 days			
WISCONSIN	Required	Disability beyond 3-day waiting period	Within 4 days	100	10	
WYOMING	Required	All injuries	Within 10 days	100		Up to 6 months
F.E.C.A.	No provision	Death or probable disability	Immediately			
LONGSHORE ACT	Required	All accidents	10 days	500		
ALBERTA	Required	Disability of 1 day or more or requiring medical aid not covered by Alberta Health Care Insurance	72 hours[3,4]	100	100 per day	
BRITISH COLUMBIA	No provision	Death cases	Immediately	(-)		
		All injuries	3 days[3]			
MANITOBA	No provision	All injuries	3 days[3,4]	500*	50	
NEW BRUNSWICK	No provision	All injuries that disable or require medical aid	3 days[3,4]	50		
NEWFOUNDLAND	No provision	All accidents that disable or require medical aid	3 days	500*		Or up to 3 months, or both.
NORTHWEST TERRITORIES	No provision	All accidents and deaths	3 days[3,*]	250		
NOVA SCOTIA	No provision	All accidents that disable or require medical aid	3 days[3]	50		
ONTARIO	Required	All accidents that disable or require medical aid	3 days[3,4]	250*	25*	
PRINCE EDWARD ISLAND	No provision	All accidents that disable or require medical aid	3 days	100	10 per day	
QUEBEC	Required for minor injuries	All accidents that disable or require medical aid	2 working days		300 plus fees	
SASKATCHEWAN	No provision	All accidents	3 days[3]	500*		
YUKON TERRITORY	First aid cases	All accidents in which workman is injured	3 days*	1,000		Failure to pay penalty, imprisonment of 6 months to 1 year in aggregate
CANADIAN MERCHANT SEAMEN'S ACT	No provision	All accidents that disable or require medical aid.	60 days	500		Up to 12 months

N.M. *To the State Labor Commissioner.
**To the Insurance Department of the State Corporation Commission.

N.Y. *Also required to provide written statement of right under Act to injured employee or dependent, if deceased.

Ore. *25% additional compensation plus attorneys' fees.

R.I. *Supplemental report upon termination of disability.

S.D. *Any injury requiring treatment other than first aid or which incapacitates employee for at least 7 calendar days.

B.C. *Employer may be liable for full cost of claim.

Man. *Plus 50% of compensation payable.

Nfld. *Claim may be charged against employer's experience for failure to notify.

N.W.T. *Supplemental report within 3 days after return to work or knowledge that worker is able to return.

Ont. *Employer may also be liable for additional fine up to $200 payable to court.

Sask. *Plus percentage of assessment.

CHART XIII — SECOND-INJURY FUNDS — January 1, 1985

JURISDICTION	INJURIES COVERED	PAYABLE BY EMPLOYER	PAYABLE BY FUND	SOURCE OF FUND	SPECIAL PROVISIONS
ALABAMA	Second injury which combined with prior permanent partial disability results in permanent total disability	Disability caused by second injury	Difference between compensation payable for second injury and permanent total disability	$100 in death cases	Employer must have knowledge of prior disabling injury affecting employability
ALASKA	Second injury which added to pre-existing permanent physical impairment results in substantially greater disability than from second injury alone[1]	Disability caused by second injury up to 104 weeks	Compensation in excess of 104 weeks	Up to 6% of compensation payable to fund; $10,000 in no-dependency death cases; civil penalties	Vocational rehabilitation expenses payable from fund. "Physical impairment" as listed or would support an award of 200 weeks or more
AMERICAN SAMOA	Second injury which combined with prior permanent impairment results in death or compensable disability greater than from second injury alone	Benefits for first 104 weeks	Benefits beyond first 104 weeks	$1,000 in no-dependency death cases, plus fines and penalties	Employer must have prior knowledge of disability
ARIZONA	Second injury involving loss of use of member or eye which added to pre-existing loss of use of member or eye results in permanent total disability. Also, aggravation of a pre-existing disease or condition whether or not work-related	Disability caused by second injury	Difference between compensation payable for second injury and compensation for combined disability. If earning capacity is reduced by more than 50%, fund pays half of award for reduced capacity in excess of 50%	$1,150 in no-dependency death cases. Commission may allocate up to 1-1 2% of yearly premiums to special fund to keep fund actuarially sound	For aggravation of pre-existing condition, combined disability must be greater than 40%. Payments are also made from fund for vocational rehabilitation
ARKANSAS	Second injury which added to previous permanent partial disability or impairment results in additional disability or impairment greater than from second injury alone	Disability caused by second injury	Difference between compensation payable for second injury and permanent disability	$1,000 in no-dependency death cases. $500 to Second Injury Fund and $500 to Permanent Total Disability and Death Fund; added penalty of 15% of benefits if due to employer's violation of health or safety regulations. Portion of premium tax	Employer liable for combined disability of both injuries in same employment
CALIFORNIA	Second permanent partial injury which added to pre-existing permanent partial disability results in 70 percent or more permanent disability. Second injury must account for 35 percent.[2]	Disability caused by second injury	Difference between compensation payable for second injury and permanent disability	Legislative appropriations and $50,000 in each no-dependency death case or unpaid balance	Payments are made by State Compensation Insurance Fund
COLORADO	Second injury which added to pre-existing permanent partial disability results in permanent total disability	Disability caused by second injury	Difference between compensation payable for second injury and permanent total disability	$15,000 in no-dependency or partial-dependency cases	Amount payable by fund is limited to 1 2 of average wage loss, in case employee obtains employment while securing benefits
CONNECTICUT	Second injury or disease which added to pre-existing injury, disease, or congenital causes results in permanent disability greater than from second injury alone	Benefits for first 104 weeks, less compensation payable for prior disability	Benefits beyond first 104 weeks, less compensation payable for prior disability	Tax equal to 3-1 2% of compensation paid by carriers and self-insurers during preceding calendar year plus fines	Tax imposed each time fund balance is reduced to $500,000
DELAWARE	Second injury or disease which added to existing permanent injury from any cause results in permanent total disability	Disability caused by second injury	Difference between compensation payable for second injury and permanent disability	Tax of 2% of premiums received by insurance carriers and equivalent charge on self-insurers	Payments suspended when fund reaches $750,000 and resumed when below $250,000
DISTRICT OF COLUMBIA	Second injury or disease which added to pre-existing injury, disease, or congenital causes results in permanent disability greater than from second injury alone	Disability caused by second injury for first 104 weeks and first $1,000 medical expenses	Difference between compensation payable for second injury and permanent disability	$5,000 in no-dependency death cases or unpaid awards. Pro-rata assessments upon carriers and self-insurers based on paid losses. Fines and penalties	
FLORIDA	Second injury or disease which merges with previous permanent physical impairment and results in substantially greater disability than from the second injury alone		Fund reimburses employer for 60% of impairment benefits, 50% of wage-loss benefits during first 5 years after maximum medical improvements and 75% thereafter, PT benefits after 175 weeks, 75% of death benefits and funeral expenses, and 50% of first $10,000 in temporary disability and medical benefits and 100% beyond $10,000	Prorata annual assessment upon net premiums of insurers and self-insurers	Assessment must equal sum of immediate past 3 years' disbursements
GEORGIA	Second injury or disease which merges with prior permanent physical impairment and results in greater disability than from second injury alone	Disability caused by second injury for first 104 weeks	Employer reimbursed for 50% of medical expenses in excess of $5,000 up to $10,000, and 100% of medical expenses in excess of $10,000, plus income benefits beyond 104 weeks	Assessments on carriers and self-insurers proportionate to 175% of disbursements from fund to annual compensation benefits paid. In no-dependency death cases, 1 2 of benefits payable or $10,000, whichever is less	Employer must have prior knowledge of impairment. Assessments may be reduced or suspended when no funds are needed
GUAM	Second injury which combined with a previous disability causes permanent disability	Disability caused by second injury	Difference between compensation payable for second injury and permanent total disability	State fund (appropriation)	
HAWAII	Second injury which added to pre-existing disabilities results in greater permanent disability, permanent total disability, or death	Disability benefits for first 104 weeks	Benefits beyond first 104 weeks	$8,775 in no-dependency duath cases, and unpaid balance of compensation due in permanent total and permanent partial disability cases, if no dependents; 1 4% premium tax on insurers and self-insurers	Premium tax suspended when balance exceeds $200,000; resumed when below $100,000
IDAHO	Second injury which combined with prior permanent physical impairment results in permanent total disability	Disability caused by second injury	Difference between compensation payable for second injury and permanent disability	Amount equal to 4% of award for scheduled or unscheduled injuries and $5,000 in no-dependency death cases	When fund exceeds $500,000 excise may be suspended or reduced
ILLINOIS	Second injury involving loss or loss of use of major members or eye which added to pre-existing loss of member results in permanent total disability	Disability caused by second injury.[3]	Difference between compensation payable for second injury and permanent total disability	Semi-yearly employer payment of 125% of compensation payments	When fund reaches $500,000 amount payable into fund reduced by 1 2. When fund reaches $600,000, payments cease. When fund reduced to $400,000, payment resumed
INDIANA	Second injury involving loss or loss of use of hand, arm, foot, leg, or eye which added to pre-existing loss or loss of use of member results in permanent total disability	Disability caused by second injury	Difference between compensation payable for second injury and permanent total disability	1% of compensation paid by insurers and self-insurers during preceding calendar year	Payment suspended when fund reaches $400,000

Alaska [1]Pre-existing disability must support 25% earnings loss or 90 weeks of benefits.

Calif. [2]Second injury must account for 35% unless prior disability involved a major member and second injury was to opposite and corresponding member and accounts for at least 5%. No benefits payable for subsequent unrelated noncompensable injury.

Ill. [3]Employer is liable in full if second injury is permanent and total without relation to prior injury.

CHART XIII □ SECOND-INJURY FUNDS □ January 1, 1985 (continued)

JURISDICTION	INJURIES COVERED	PAYABLE BY EMPLOYER	PAYABLE BY FUND	SOURCE OF FUND	SPECIAL PROVISIONS
IOWA	Second injury involving loss or loss of use of member or eye which added to pre-existing loss of use of member results in permanent disability.	Disability caused by second injury.	Difference between compensation payable for second injury and permanent disability, less value of previous loss of member or organ.	$2,000 in dependent death cases; $5,000 in no-dependent death cases; any contributions by the United States; payments due but not paid to non-resident alien dependents; and sums recovered from third parties.	Payments suspended when fund reaches $500,000; resumed when below $300,000.
KANSAS	Second injury related to 17 types of handicap as listed in statute—any physical or mental impairment.	Difference between fund payment and maximum award.	Compensation to the extent pre-existing handicap contributed to second injury.	$18,500 from employer in no-dependency death cases; and pro-rata annual assessment upon carriers and self-insurers based on losses.	Legislature oversees adequacy of workers compensation fund, administered by Insurance Commissioner. Employer must prove knowledge of prior disability.*
KENTUCKY	Second injury or disease which added to prior disability or condition results in permanent disability greater than from second injury alone.	Disability caused by second injury or dormant condition.	Difference between compensation payable for second injury and greater disability, less amount paid for prior injury.	3.4% premium tax on carriers and self-insurers for administration and variable assessment based on need.	
LOUISIANA	Second injury which combined with prior permanent partial disability results in disability greater than from second injury alone, or in death.*	Total disability benefits for first 104 weeks; in death cases, first 175 weeks; 40% of partial disability benefits; 50% of first $10,000 medical benefits.	Employer reimbursed for balance of benefits.	1% premium tax on carriers and self-insurers, minimum $10.	Tax reduced when fund reaches $1,000,000; suspended when fund exceeds 200% of disbursements; resumed when below 125% of disbursements.
MAINE	Second injury caused by accident, disease, or congenital condition, which added to pre-existing impairment results in permanent total disability.	Disability caused by second injury.	Fund reimburses employer for difference between compensation payable for second injury and permanent total disability.	In no-dependency death cases, 100 x SAWW.	
MARYLAND	Second injury which combined with a pre-existing permanent impairment due to accident, disease, or congenital condition results in a greater combined disability constituting a hindrance to employment.	Disability caused by second injury.	If permanent disability exceeds 50% of the body as a whole, employee is entitled to additional compensation for the full disability from the "Subsequent Injury Fund." Prior injury and second injury must each be compensable for at least 125 weeks.	5% of compensation paid for disability, death, or settlements.	Payments suspended when fund reaches $1,000,000; resumed when below $500,000.
MASSACHUSETTS	Second injury which added to pre-existing physical impairment results in substantially greater disability or death. Pre-existing disability must support 25% earnings loss or 90 weeks of benefits.	Benefits for first 104 weeks.	Employer reimbursed for half of benefits after first 104 weeks.	$500 in no-dependency death cases, and additional $500 in every death case; unpaid balance of scheduled awards.	Pro-rata assessment based on losses paid during preceding year by carriers and self-insureds.
MICHIGAN	Second injury involving loss of member or eye, which added to pre-existing loss of member results in permanent total disability.	Disability caused by second injury.	Difference between compensation payable for second injury and permanent total disability.	Assessments on carriers and self-insurers proportionate to 175% of disbursements from fund to annual compensation benefits paid.	Fund is credited with any balance in excess of $200,000.*
MINNESOTA	Second injury that results in substantially greater disability than would have resulted from second injury alone.	Disability caused by second injury.	Employer reimbursed for disability after 52 weeks, medical after $2,000. If second injury results in permanent partial disability, fund pays difference between compensation payable for second injury and greater disability.*	$25,000 in no-dependency death cases; 20% of compensation for injuries 6.2.71 through 12.31.83; percentage of indemnity benefits for earlier injuries; assessment based on various factors for injuries occurring 1.1.84; certain penalties.	Commissioner determines assessment base and rate dependent on fund's financial position and increasing up to 12% annually.
MISSISSIPPI	Second injury involving loss or loss of use of member or eye, which added to pre-existing loss or loss of use of member or eye results in permanent total disability.	Disability caused by second injury.	Difference between compensation payable for second injury and permanent disability.	$500 in no-dependency death cases; $300 in dependency cases. Commission may transfer up to $100,000 from Administrative Expense Fund.	$150 payments suspended when fund reaches $250,000 and until reduced to $50,000.
MISSOURI	Second injury resulting in permanent partial disability which compounds either a greater permanent partial or a permanent total disability.	Disability caused by second injury.	Difference between compensation payable for second injury and compounded disability.	20% of 3% premium tax. Payment by carriers or self-insurers of 1.2 percent of total compensation paid.	
MONTANA	Second injury which combined with prior permanent physical impairment results in death or disability.	Benefits for first 104 weeks.	Employer reimbursed after first 104 weeks.	$1000 paid by employers, insurers, or accident fund in every death case. Carriers and self-insurers assessed 5% of losses paid in preceding year.	Division must certify unemployed worker as vocationally handicapped.
NEBRASKA	Second injury which combined with pre-existing disability causes substantially greater disability. Pre-existing disability must support 25% earnings loss or 90 weeks of benefits.†	Disability caused by second injury.	Difference between compensation payable for second injury and previous disability.	1% premium tax on carriers or self-insurers ($25 minimum) payable to Workmen's Compensation Court.	Payments suspended when fund reaches $400,000. Assessment (1%) when fund reduced to $200,000.
NEVADA	Second injury which combined with any previous permanent physical disability causes substantially greater disability.*		Compensation allocated between insurer and fund.	Subsequent Injury Fund in state treasury.**	Compensable claim considered "excess loss" in calculation of employer's experience rating. Employer must prove knowledge of prior impairment.
NEW HAMPSHIRE	Second injury which combined with any pre-existing disability results in substantially greater disability.†	Benefits for first 104 weeks.	Employer reimbursed after first 104 weeks.	Assessment against carriers and self-insurers proportional to total benefits paid by all carriers.	
NEW JERSEY	Second injury resulting in permanent partial disability which added to pre-existing partial disability, compensable or not, results in permanent total disability.	Disability caused by compensable injury.	Difference between compensation payable for second injury and permanent total disability.	Carriers and self-insurers assessed pro-rata for 150% of payments made from fund as it bears to total compensation paid during preceding year. Annual assessments paid quarterly.	When fund balance exceeds $1,250,000, up to $50,000 per year may be applied toward administration costs of Division.
NEW MEXICO	Second injury which added to pre-existing disability results in permanent disability greater than from second injury alone; or, second injury resulting in death.	Liability apportioned by judicial determination.	Liability apportioned by judicial determination.	$1,000 in no-dependency death cases. Employer or insurer pays quarterly assessment up to 1% of compensation paid during quarter, exclusive of medical benefits and attorney's fees.	

†In death cases it must be established that either the injury or the death would not have occurred except for such pre-existing permanent physical impairment. "Permanent physical impairment" means any permanent condition due to previous accident, disease, or congenital condition which is likely to be a hindrance to employment.

Kan. *Employer may file description of prior impairment to create presumption of prior knowledge.

La. * Permanent partial disability" means any permanent condition due to injury, disease, or congenital causes which is likely to be a hindrance to employment. Certain scheduled conditions are presumed to be permanent partial disability if employer had prior knowledge.

Mich. *Compensation to certified vocationally handicapped persons payable from fund after 104 weeks.

Minn. *If injury, disability or death would not have occurred but for the preexisting impairment, the fund pays all benefits (except for a cardiac condition, impairment of at least 10% of the whole man, or as prescribed by rule).

Nev. *Pre-existing disability must support a rating of 12% or more of the whole man based on A.M.A. guides, which is likely to be a hindrance to employment.
**Fund is composed of assessments, penalties, bonds, securities, and all other property collected by administrator, Division of Industrial Insurance Regulation.

CHART XIII ☐ SECOND-INJURY FUNDS ☐ January 1, 1985 (continued)

JURISDICTION	INJURIES COVERED	PAYABLE BY EMPLOYER	PAYABLE BY FUND	SOURCE OF FUND	SPECIAL PROVISIONS
NEW YORK	Second injury involving loss or loss of use of member or eye, which added to pre-existing injury results in permanent total disability; second injury which added to pre-existing loss or partial loss of member or eye or other "permanent physical impairment" not resulting from a dust disease results in disability greater than from second injury alone or second injury or disease resulting in death, which is caused by pre-existing disability.[1]	Benefits for first 104 weeks.	Employer reimbursed after first 104 weeks.	Assessment against carriers and self-insurers proportional to compensation payments made by all carriers.	Employer or insurer pays awards and medical expenses, but is reimbursed from special disability fund for benefits after first 104 weeks.
NORTH CAROLINA	Second injury involving loss of member or eye which added to pre-existing injury results in permanent total disability, provided the original and increased disability were each 20% of the entire member.*	Disability caused by second injury.	Difference between compensation payable for second injury and permanent total disability.	Assessments against employer or insurer for each permanent partial disability, up to $50 for a minor member and $200 for a major member (currently $25 and $100, respectively).	
NORTH DAKOTA	Second injury or aggravation of any previous injury or condition which results in further disability.	Disability caused by second injury.	Percent attributable to aggravation or second injury.	Benefit Fund.	Compensation in excess of amount chargeable to second injury is charged to general fund.
OHIO	Second injury which aggravates pre-existing disease or condition (25 types of handicaps as listed by statute), resulting in death, temporary or permanent total disability, and disability compensable under a special schedule.*	Disability attributable to injury or occupational disease sustained in employment.	Amount of disability or proportion of cost of death award determined by Industrial Commission to be attributable to employee's pre-existing disability.	Reserve set aside out of statutory surplus funds.	In the case of a self-insuring employer, excess payments are made from the surplus fund. By rule of Commission in the case of State Fund employer, compensation in excess of amount chargeable to second injury is charged to surplus fund.
OKLAHOMA	Second injury to "physically impaired person" which results in additional permanent disability greater than from second injury alone.	Disability caused by second injury.	Difference between compensation payable for second injury and compensation for combined injuries.	2% of permanent disability losses by carriers, state fund, and self-insurers, and 2% of awards for permanent disability by employers.*	Permanent total awards are payable by the fund for 5 years or until age 65, whichever is longer.
OREGON	Injury caused by preexisting condition (may be congenital) or which combined with preexisting condition results in greater permanent disability.	First $1,000 claims cost and portion of claim for which relief not granted are charged to employer loss experience.	Claims cost above $1,000 and percentage of balance for which Department grants relief.	Employer and worker each pay 3¢ per worker per day.	Reimbursement from fund subject to funds available. Amount of reimbursement not reviewable. Settlement of claim requires Department approval if involves reimbursement.
PENNSYLVANIA	Second injury involving loss or loss of use which added to pre-existing loss or loss of use of member results in permanent total disability.	Scheduled benefits as a result of second injury.	Remaining compensation due for total disability.	Assessment against carriers and self-insurers proportional to compensation payments.	Payments are made directly by the Department.
PUERTO RICO	Second injury which aggravates or augments any former disability.		Job injury not caused by work accident is compensated in addition to second injury. Compensation for prior job injury is deducted from compensation payable for total disability, except where combined injury results in permanent total disability, which is compensated as such.	Insurance premiums.	The difference between expenditures by the Industrial Commission and the Manager of the State Insurance Fund and their maximum budget allotment are placed in the Reserve Fund for catastrophes except for medical expense surpluses; maximum $1 million.
RHODE ISLAND	Second injury which merges with pre-existing work-related disability resulting in greater disability or death.	Benefits for first 104 weeks.	Employer reimbursed after first 104 weeks.	2-3-4% tax on gross premiums collected by insurers and comparable tax on self-insurers, plus $750 in no-dependency death cases; also certain penalties.	Employer must prove knowledge of prior injury unless employee failed to disclose. Tax may be reduced when fund reaches $2 million.
SOUTH CAROLINA	Second injury which added to any previous permanent physical impairment results in substantially greater disability or death.	Disability caused by second injury for first 78 weeks: compensation and medical care.	Employer reimbursed for all benefits after 78 weeks, plus 50% of medical payments over $3000 during first 78 weeks.	Pro-rata assessments on carriers and self-insurers based on losses paid, in no-dependency deaths, unpaid benefits to fund.	Employer must prove prior knowledge of impairment or that worker was unaware of impairment.*
SOUTH DAKOTA	Second injury which combined with any pre-existing disability, results in additional permanent partial or total disability or death.	Disability caused by second injury.	Difference between compensation payable for second injury and compensation for combined injuries.	Carriers and self-insurers assessed 1% of losses paid during preceding year and $500 in no-dependency death cases.	Payments suspended at $200,000, and resumed at $100,000.
TENNESSEE	Second injury involving loss or loss of use of member or eye, which added to pre-existing loss or loss of use of member results in permanent total disability.	Disability caused by second injury.	Difference between compensation payable for second injury and permanent total disability.	$150 in death cases and $15 in each case of permanent partial disability.	
TEXAS	Second injury which added to pre-existing injury results in permanent total disability.	Disability caused by second injury.	Difference between compensation payable for second injury and permanent total disability.	Maximum $73,080* payable into fund in each no-dependency death case.	
UTAH	Second injury which combined with a previous permanent incapacity due to accident, disease, or congenital condition results in a substantially greater disability.	Disability caused by second injury.	Difference between compensation payable for second injury and compensation for combined injuries. Fund liability calculated by computing second injury as percentage impairment to whole person on uncombined basis, deducted from total combined rating.	$30,000 in no-dependency death cases, less compensation paid when Default Indemnity Fund reaches limit. 3% premium tax on insurers and self-insurers. Fines from uninsured employers.	Medical panel determines percentage of disability attributable to prior disability and second injury. Fund is also used to extend the period of compensation above regular award for certain claimants who are permanently and totally disabled and who cannot be rehabilitated.
VERMONT	Second injury involving loss of use of member or eye which added to previous disability results in permanent total disability.	Disability caused by second injury.	Difference between compensation payable for second injury and permanent total disability.	$500 in no-dependency death cases.	
VIRGIN ISLANDS	Second injury which combined with prior impairment results in death or compensable disability greater than from second injury alone.	None. Employer's experience rating affected by disability payments after 104 weeks.	All benefits	Premiums paid by employers by classification and experience, plus fines, penalties, and interest.	Employer must have prior knowledge of disability.

N.C. *Epilepsy is considered a prior permanent disability.

Ohio *Does not apply to compensation for temporary partial or percentage of permanent partial disability.

Okla. *Payable quarterly, not later than the 15th day of the month following; total tax is 4% (2% of awards for permanent disability, total or partial). Tax is based on award and is payable regardless of whether award is paid. State political subdivisions pay 2% of permanent disability compensation paid in preceding year.

S.C. *"Permanent physical impairment" means any permanent condition due to injury, disease, or congenital causes which is likely to be a hindrance to employment. Certain scheduled conditions are presumed to be permanent physical impairment if employer had prior knowledge.

Texas *360 times maximum weekly benefit.

CHART XIII ☐ SECOND-INJURY FUNDS ☐ January 1, 1985 (continued)

JURISDICTION	INJURIES COVERED	PAYABLE BY EMPLOYER	PAYABLE BY FUND	SOURCE OF FUND	SPECIAL PROVISIONS
VIRGINIA	Second injury involving 20% loss or loss of use of member or eye which added to pre-existing disability of 20% or more results in total or partial disability.	Disability caused by second injury.	Employer reimbursed for compensation after all other compensation has expired plus up to $7,500 each for medical and vocational rehabilitation expenses.	1.4% premium tax on carriers and self-insurers.	Payments suspended at $250,000, and resumed at $125,000.
WASHINGTON	Second injury or disease which added to pre-existing injury or disease results in permanent total disability or death.	Disability caused by second injury.	Difference between charge assessed against employer at time of second injury and total pension reserve.	Transfer of not more than cost from accident fund to second injury account. Self-insurers pay proportional to claims against self-insurers.	Preferred workers* have all benefits for claims arising within 3 years of new employment paid Second Injury Fund.
WEST VIRGINIA	Second injury which combined with pre-existing impairment results in permanent total disability.	Disability caused by second injury.			Compensation in excess of amount chargeable to second injury is paid out of second injury fund at the Commissioner's disposal.
WISCONSIN	Second injury with permanent disability for 200 weeks or more with a pre-existing disability of an equal degree or greater.	Disability caused by second injury.	Disability caused by lesser of 2 injuries. If the combined disabilities result in permanent total disability, fund pays the difference between compensation payable for second injury and permanent total disability.	$4,000 for loss of a hand, arm, foot, leg, or eye. In no wholly dependent or partially dependent cases, 80% of death benefit otherwise available.	
WYOMING	Second injury in extra-hazardous employment which added to pre-existing loss or loss of use of member or eye results in permanent total disability.	Disability caused by second injury.	Difference between compensation payable for second injury and permanent disability.	$500 in no-dependency death cases.	Any payments for previous partial disability or payments which would have been made if the previous injury had occurred in an extra-hazardous employment are deducted from the award.
LONGSHORE ACT	Second injury resulting in permanent partial disability which added to pre-existing injury results in permanent total disability.	Disability caused by second injury for first 104 weeks.	Difference between compensation payable for second injury and permanent total disability.	$5,000 in no-dependency death cases or unpaid awards. Pro-rata assessments based on losses paid. Fines and penalties.	50% of fund is for second injuries and 50% for rehabilitation. Supplementary benefits for total disability or death payable by fund.
ALBERTA	No specific statutory provision*				
BRITISH COLUMBIA	Injury or disease superimposed on existing disability.	No	Proportion of disability attributable to second injury.	Accident Fund	
MANITOBA	All enhanced disabilities because of similar or other disabilities	No	Yes	Accident Fund	Compensation must be at least half the benefit payable if the entire disability were caused by the pre-existing condition. Condition includes neurosis or psychoneurosis.
NEW BRUNSWICK	Second injury coupled with other prior injuries or disabilities.	No	Yes	Reserve Fund	
NEWFOUNDLAND	All enhanced disabilities because of similar or other disabilities.	No	Difference between compensation payable for second injury and final result of disablement.	Reserve Fund	
NOVA SCOTIA	Injury that aggravates, activates, or accelerates pre-existing disease or disability; or injury that results in injury or disease caused partly by employment and partly by other causes.	No	Disability attributable to second injury.	Accident Fund	Board has authority to establish second injury fund.
NORTHWEST TERRITORIES	All disabilities due to pre-existing disease, condition or disability.	No	Difference between second injury and total cost.	Contingency reserve	
ONTARIO	All enhanced disabilities due to pre-existing diseases, condition, or disability.	No	Difference between second injury and total cost.	Accident Fund	Not restricted to permanent disability cases.
PRINCE EDWARD ISLAND	No specific statutory provision				
QUEBEC	Enhanced disability because of previous infirmity.				Commission has authority to establish second injury fund.
SASKATCHEWAN	All enhanced disabilities due to preexisting disease, condition, or disability.	No	Difference between second injury and total cost.	Injury Fund	
YUKON TERRITORY	All enhanced disabilities because of similar or other disabilities.	No	Yes	Compensation Reserve Fund. Assessment on employers' annual payroll.	
CANADIAN MERCHANT SEAMEN'S ACT	No specific statutory provision				

Wash. *Defined as workers who must change jobs due to effect of an industrial injury or illness.

Alta. *Board has established reserve funds to cover enhanced disability or aggravation of previous condition.

CHART XIV

ADMINISTRATION EXPENSES, WORKERS' COMPENSATION DEPARTMENTS

January 1, 1985

JURISDICTION	SYSTEM PROVIDED FOR	FUND OR APPROPRIATION	ASSESSMENT PROVISIONS		OTHER INCOME
			AGAINST WHOM	AMOUNT	
ALABAMA	Private insurance	General appropriation; court administration			
ALASKA	Private insurance	General appropriation			
AMERICAN SAMOA	Private insurance	Special fund			
ARIZONA	Competitive fund	Administrative fund	Carriers, self-insurers, and state fund	3% of premiums; minimum $250.	
ARKANSAS	Private insurance	Special fund	Carriers and self-insurers	3% of manual premiums maximum.*	$500 first year for carriers; $100 first year for self-insurance.
CALIFORNIA	Competitive fund	General appropriation			
COLORADO	Competitive fund	General appropriation			
CONNECTICUT	Private insurance	General appropriation	Carriers and self-insurers	Prorata assessment necessary to cover expenses.	
DISTRICT OF COLUMBIA	Private insurance*	Special fund*	Carriers and self-insurers	Prorated on basis of total compensation paid.	Fines and penalties; and $5,000 in no-dependency death cases.
DELAWARE	Private insurance	General appropriation	Carriers and self-insurers	Prorated.	
FLORIDA	Private insurance	Special fund	Carriers and self-insurers	Maximum 4% of net earned premiums.	
GEORGIA	Private insurance	General appropriation	Carriers and self-insurers	Prorated.	
GUAM	Private insurance	General appropriation			
HAWAII	Private insurance	General appropriation			
IDAHO	Competitive fund	Industrial Administration Fund	Carriers, self-insurers, and state fund	1.3% of premiums.	Fees for records.
ILLINOIS	Private insurance	General appropriation			
INDIANA	Private insurance	General appropriation			
IOWA	Private insurance	General appropriation			
KANSAS	Private insurance	Special fund		(+)	
KENTUCKY	Private insurance	Maintenance Fund	Carriers and self-insurers	2% of premiums plus additional prorata assessment necessary to cover expenses.	
LOUISIANA	Private insurance	Administrative Fund*	Carriers and self-insurers	Prorated on basis of total compensation paid.	20% monthly penalty for unpaid assessment.
MAINE	Private insurance	General appropriation			
MARYLAND	Competitive fund	General appropriation	Carriers, self-insurers, and state fund	Prorated.	Commission may assess up to $500 annually against self-insurers and self-insured groups for actuarial studies and audits.
MASSACHUSETTS	Private insurance	General appropriation			
MICHIGAN	Competitive fund	General appropriation		(+)	
MINNESOTA	Competitive fund	General appropriation			
MISSISSIPPI	Private insurance	Special fund	Carriers and self-insurers	Prorated on basis of total compensation paid.	Civil penalties.
MISSOURI	Private insurance	General appropriation	Carriers and self-insurers	3% of premiums.	Fees for records, etc.
MONTANA	Competitive fund	Industrial Administration Fund; appropriation and fees	Carriers, self-insurers, and state fund	Prorated on prior year's costs; $200 minimum.	Graduated inspection fee; fees for records, etc.; and fines.
NEBRASKA	Private insurance	General appropriation	Carriers and self-insurers	2% for foreign; .6% for domestic; 2% for self-insurers.*	Fees for copies and publications, etc.
NEVADA	Exclusive fund and self-insurance	State Insurance Fund	Employers and self-insurers	As needed.	
NEW HAMPSHIRE	Private insurance	Administration Fund—appropriation	Carriers and self-insurers	Prorated on basis of total compensation paid; $100 minimum.*	Civil penalties.
NEW JERSEY	Private insurance	General appropriation	Carriers	1.4% of premiums.*	Maximum of $50,000 excess from 2nd Injury Fund may be paid over to W. C. administration.
NEW MEXICO	Private insurance	General appropriation; court administration			
NEW YORK	Competitive fund	Assessment	Carriers, self-insurers, and state fund	Total amount prorated on basis of compensation payments.	Fines and penalties.
NORTH CAROLINA	Private insurance	General appropriation	Carriers and self-insurers	On gross premiums at rate in revenue act.	
NORTH DAKOTA	Exclusive fund	Appropriation	State fund	Budget submitted biennially to legislature.	Interest.

Ark. *May be increased or reduced by Commission.

D.C. *Exclusive fund for D.C. government workers, financed from D.C. and/or federal appropriation.

Kan. *System of assessments, similar to Mississippi's.

La. *Court administration financed by general appropriation.

Mich. *Annual assessment of 3.4% of compensation levied on insurers and self-insurers of compensation paid to be used for the safety education and training fund.

Neb. *Not specially for workers' compensation administration.

N.H. *Total assessment may not exceed 1% of total benefits paid by all carriers and self-insurers.

N.J. *To administer insurance provisions.

CHART XIV □ ADMINISTRATION EXPENSES, WORKERS' COMPENSATION DEPARTMENTS □ Jan. 1, 1985 (cont.)

JURISDICTION	SYSTEM PROVIDED FOR	FUND OR APPROPRIATION	ASSESSMENT PROVISIONS		OTHER INCOME
			AGAINST WHOM	AMOUNT	
OHIO	Exclusive fund and self-insurance	State fund	All employers, including self-insurers, counties and taxing districts, and state instrumentalities	19.6% of payroll for State Fund employers and 5.7% for self-insurers.	
OKLAHOMA	Competitive fund	Administrative Fund, State Insurance Fund, and general appropriations	Carriers and self-insurers	1% premium tax, and 2% tax on self-insurers based on compensation paid for permanent disability or death.	
OREGON	Competitive fund	Administrative fund	Employers	Apportioned—percentage of premium needed to pay administration expenses.	Fines, penalties, and interest
PENNSYLVANIA	Competitive fund	Administration Fund	Carriers, self-insurers, and state fund	Prorated on basis of total compensation paid.	
PUERTO RICO	Exclusive fund	State fund and appropriations	Employer	Maximum 20% of total premium receipts.	
RHODE ISLAND	Private insurance	General appropriation			
SOUTH CAROLINA	Private insurance	General appropriation	Carriers and self-insurers	4-1/2% of premiums.	
SOUTH DAKOTA	Private insurance	General appropriation			
TENNESSEE	Private insurance	General appropriation; court administration	Carriers and self-insurers	4% of premiums.	
TEXAS	Private insurance	General appropriation	Carriers and self-insurers	3/5 of 1%.* Additional 45/100 of 1% gross W. C. premiums paid to General Revenue Fund for administration of Board.	
UTAH	Competitive fund	General appropriation	Carriers and state fund	1.4% of gross premiums.	3-1/4% of premium tax; 3% to Second Injury Fund, 1/4% for administration.
VERMONT	Private insurance	General appropriation			
VIRGIN ISLANDS	Exclusive fund	Territorial fund	Territorial fund		Fines, penalties, and interest
VIRGINIA	Private insurance	Special fund	Carriers and self-insurers	2.5% of premiums.	
WASHINGTON	Exclusive fund and self-insurance	State fund	State fund and self-insurers	Determined by Director.	
WEST VIRGINIA	Exclusive fund and self-insurance	Workers' Compensation Fund	All-insureds	Prorata shares recovered from regular subscribers and self-insurers.	
WISCONSIN	Private insurance	Special fund	Carriers and self-insurers	Prorata on indemnity paid on closed cases during prior year.	
WYOMING	Exclusive fund	Industrial Accident Fund	State fund		
F.E.C.A.	Exclusive fund	Appropriation authorized from U.S. Treasury.			
LONGSHORE ACT	Private insurance	Appropriation authorized from U.S. Treasury			
ALBERTA	Exclusive fund	Accident Fund	All employers under the act	Determined by Board.	Penalties for violations.
BRITISH COLUMBIA	Exclusive fund	Accident Fund	All enumerated employers	Determined by Board.	
MANITOBA	Exclusive fund	Accident Fund	All enumersted employers	Determined by Board.	Such sum out of consolidated fund as Lt. Gov.-in-Council may direct.
NEW BRUNSWICK	Exclusive fund	Accident Fund	All enumerated employers	Determined by Board.	Penalties for violations.
NEWFOUNDLAND	Exclusive fund	Injury Fund	All enumerated employers	Determined by Commission.	Interest and penalties.
NORTHWEST TERRITORIES	Exclusive fund	Workers' Compensation Fund	All employers	Determined by Board.	
NOVA SCOTIA	Exclusive fund	Accident Fund	All enumerated employers	Determined by Board.	
ONTARIO	Exclusive fund for Schedule I employers; individual liability for Schedule II employers.	Accident Fund for Schedule I employers. Deposit with Board for Schedule II employers	All employers in Schedule I. Administrative costs only for Schedule II employers	Determined by Board.	
PRINCE EDWARD ISLAND	Exclusive fund for Part I; individual liability, Part II.	Accident Fund	All enumerated employers	Determined by Board.	
QUEBEC	Exclusive fund; individual liability for Annex B employers.	Accident Fund	All employers. Administrative costs only for Annex B employers.	Determined by Board.	
SASKATCHEWAN	Exclusive fund	Injury Fund	All employers	Determined by Board.	Penalties for violations.
YUKON TERRITORY	Exclusive fund	Accident Fund	All employers	Percent of payroll determined by Commissioner.	
CANADIAN MERCHANT SEAMEN'S ACT	Private insurance	Cost of administration apportioned among employers	All employers of merchant seamen	Determined by Board.	

Texas *To administer insurance provisions.

CHART XV — APPEAL PROVISIONS — January 1, 1985

JURISDICTION	ADMINISTRATION	TIME FOR APPEAL	TO WHAT COURT	PROCESS AND PROCEDURE	QUESTIONS REVIEWED: LAW ONLY	QUESTIONS REVIEWED: LAW AND FACT	BASIS FOR REVIEW[1]	JURY TRIAL
ALABAMA	Courts	30 days	Supreme Court	Certiorari	Yes		Record	No
ALASKA	Workmen's Compensation Board	30 days	Superior Court	Injunction	Yes		Record	No
AMERICAN SAMOA	Workmen's Compensation Commission	30 days	High Court	As in civil actions	Yes		Record	No
ARIZONA	Industrial Commission	30 days	Court of Appeals/Supreme Court	Certiorari		Yes	Record	No
ARKANSAS	Workers' Compensation Commission	30 days	Court of Appeals	As in civil actions, with precedence over all other civil cases	Yes		Record	No
		No provision	Supreme Court	As in civil actions	Yes		Record	No
CALIFORNIA	Appeals Board	45 days	Supreme Court, or District Court of Appeals	Writ of review	Yes		Record	No
COLORADO	Industrial Commission	20 days	Court of Appeals	Action to modify or vacate	Yes		Record	No
		No provision	Supreme Court	Writ of error	Yes		Record	
CONNECTICUT	9 commissioners	20 days	Appellate session of Superior Court* Supreme Court	Notice of appeal**	Yes		Record	No
DELAWARE	Industrial Accident Board	20 days	Superior Court	As prescribed by the court		Yes	Record	No
DISTRICT OF COLUMBIA	D.C. Office of Workers' Compensation	15 days	D.C. Court of Appeals	Petition	Yes		Record	No
DISTRICT OF COLUMBIA GOVT. WORKERS	Office of Workers' Compensation	90 days to a year	Superior Court	Application for review		Yes	Record	No
FLORIDA	Division of Workers' Compensation	20 days	District Court of Appeals, First District	Notice of appeal	Yes		Record	No
GEORGIA	State Board of Workers' Compensation	30 days	Superior Court	Notice of appeal	Yes		Record	No
			Court of Appeals	Discretionary authority				
GUAM	Worker's Compensation Commission	30 days	Superior Court	Injunction proceedings	Yes		Record	No
HAWAII	Disability Compensation Division	30 days	Supreme Court	Notice of appeal*	Yes		Record	Yes, if claimed within 10 days from the date case is docketed
IDAHO	Industrial Commission	42 days	Supreme Court	Notice of appeal	Yes		Record and transcript of evidence	No
ILLINOIS	Industrial Commission	20 days	Circuit Court, or City Court in cities over 25,000*	Proceeding for review		Yes	Record; no additional evidence	No
		30 days	Supreme Court**	As prescribed by the court	Yes			
INDIANA	Industrial Board	30 days	Court of Appeals	As in civil action*	Yes		Assignment of errors	No
IOWA	Industrial Commissioner	30 days	District Court	Petition for judicial review	Yes		Certified transcript of documents and evidence	No
		20 days	Supreme Court	As in civil cases	Yes			
KANSAS	Division of Workers' Compensation	20 days	District Court*	Notice of appeal		Yes	Transcript of evidence and proceedings	No
		30 days	Court of Appeals	Notice of appeal	Yes			
KENTUCKY	Workers' Compensation Board	20 days	Circuit Court	Petition, summons, answer	Yes		Certified record	No
		No provision	Court of Appeals Supreme Court	As in civil actions			Certified record or scheduled portions	
LOUISIANA	Office of Workers' Compensation	60 days	District court	Petition		Yes	Trial de novo	No
		30 days*	Appellate Court	As in civil actions		Yes	Transcript of proceedings	No
			Supreme Court	As in civil actions		Yes	Certified record	No
MAINE	Workers' Compensation Commission	20 days	Law Court	As in equity procedure*	Yes		Record	No
MARYLAND	Workmen's Compensation Commission	30 days	County Circuit Courts or Baltimore Common Law Courts	Notice, followed by informal and summary trial	Yes, in occupational disease cases	Yes, except in occupational disease cases	Trial de novo	Yes, on demand
		No provision	Court of Special Appeals Court of Appeals	As in civil cases				
MASSACHUSETTS	Industrial Accidents Board	10 days	Superior Court	As in civil cases	Yes		Agreed statement of facts and findings and decision	No
		No provision	Supreme Judicial Court	As in civil cases	Yes			
MICHIGAN	Workers' Compensation Appeal Board	30 days	Court of Appeals	Certiorari, mandamus, or other permissible method	Yes			No
		30 days	Supreme Court					
MINNESOTA	Workers' Compensation Division	30 days	Workers' Compensation Court of Appeals Supreme Court	Notice of Appeal Certiorari		Yes	Certified record. Oral arguments on issues of law	No
MISSISSIPPI	Workmen's Compensation Commission	30 days	Circuit Court	Notice of appeal	Yes		Record	No
			Supreme Court	As in civil cases	Yes		Record	
MISSOURI	Division of Workers' Compensation*	30 days	Appellate Court	Notice of appeal	Yes		Certified record	No
MONTANA	Division of Workers' Compensation	30 days	Supreme Court	Notice of appeal		Yes	Certified record	No
NEBRASKA	Workmen's Compensation Court*	1 month	Supreme Court	Notice of appeal and bill of exceptions (under general laws)	Yes		Certified record	No
NEVADA	Department of Administration Appeals Officer	30 days	District Court	Petition for judicial review	Yes		Record	No
NEW HAMPSHIRE	Commissioner of Labor	30 days	Superior Court Supreme Court	Petition for a hearing		Yes	Trial de novo	No

NOTE—Other Canadian jurisdictions do not provide for judicial appeal.

[1]Generally courts may set aside an award on one of the following grounds: (1) that the Commission acted in excess of its powers, (2) that the award was procured by fraud, (3) that the facts found by the Commission did not support the award, and (4) that there was not sufficient competent evidence in the record to warrant the finding.

[2]Board may request opinion on question of law or jurisdiction on its own motion.

[3]Court has power to pass only upon question of law or jurisdiction of the Board.

Conn. *Claimant may appeal commissioner's decision to Compensation Review Division (panel of 3 commissioners), then to appellate session of Superior Court.
**Division may certify question of law on its own motion.

Hawaii *Appellate Board may certify questions of law to Supreme Court.

Ill. *If defendants cannot be found in state, then in Circuit Court of county where accident occurred.
**Workers' compensation appeals panel of court may decide case or refer to full court.

Ind. *Board may also certify questions of law on its own motion.

Kan. *If court fails to appeal within 60 days, Director must request decision; if no decision is issued within 30 days after request, Director must advise Supreme Court.

La. *60 days for devolutive appeal.

Maine *First level of appeal is Appellate Division. Denial of review by Law Court is final. No appeal from decree based on memorandum of agreement. Appeal does not stay payment of compensation.

Mo. *Administrative Law Judge's award may be appealed to Industrial Commission.

Neb. *The Court is constituted the same as the boards and commissions in other states.

CHART XV □ APPEAL PROVISIONS □ January 1, 1985 (continued)

JURISDICTION	ADMINISTRATION	TIME FOR APPEAL	TO WHAT COURT	PROCESS AND PROCEDURE	QUESTIONS REVIEWED: LAW ONLY	QUESTIONS REVIEWED: LAW AND FACT	BASIS FOR REVIEW[1]	JURY TRIAL
NEW JERSEY	Division of Workers' Compensation	No provision	Appellate Division of Superior Court	Notice of appeal		Yes	Trial de novo on the record	No
NEW MEXICO	Courts	No provision	Court of Appeals Supreme Court	Writ of error or appeal, or certiorari	Yes		Certified record	No
NEW YORK	Workers' Compensation Board	30 days after decision on review* No provision	Appellate Division, Supreme Court, Third Department Court of Appeals	As in civil actions, with precedence over all other civil cases Regular appeal	Yes Yes		Record	No
NORTH CAROLINA	Industrial Commission	30 days	Court of Appeals	As in civil actions*	Yes		Record	No
NORTH DAKOTA	Workmen's Compensation Bureau	30 days No provision	District Court Supreme Court	Appeal Appeal		Yes Yes	Record Record	No
OHIO	Industrial Commission	60 days No provision	Court of Common Pleas Supreme Court	Notice of appeal and petition by claimant or employer		Yes	Trial de novo	Yes, on demand
OKLAHOMA	Workers' Compensation Court	20 days*	Supreme Court*	Petition	Yes		Certified record and specifications of error	No
OREGON	Workers' Compensation Board	30 days Supreme Court	Court of Appeals	Notice of appeal Notice of appeal		Yes	Record*	No
PENNSYLVANIA	Workers' Compensation Bureau*	20 days 30 days	Commonwealth Court Supreme Court	Notice of appeal As in civil actions	Yes Yes		Certified record	No
PUERTO RICO	Industrial Commission	30 days 15 days	Industrial Commission Supreme Court	Appeal Petition for review	Yes	Yes (-)	Record Certified record	No
RHODE ISLAND	Director of Labor and Commission	5 days 10 days	3 members of appellate commission Supreme Court	Claim of appeal Writ of certiorari	Yes	Yes	Certified documents and testimony	No
SOUTH CAROLINA	Industrial Commission—Judicial Division	30 days	Court of Common Pleas	As in civil actions	Yes		Record	No
SOUTH DAKOTA	Division of Labor and Management	30 days* 120 days	Circuit Court Supreme Court	Notice of appeal As in civil actions	Yes		Certified record	No
TENNESSEE	Courts	10 days No provision	Circuit Courts Supreme Court	As in civil actions Writ of error		Yes	Trial de novo	No
TEXAS	Industrial Accident Board	20 days	Court of county of injury or worker's residence	Suit to set aside decision of Board		Yes	Trial de novo	Yes
UTAH	Industrial Commission	30 days	Supreme Court	Certiorari		Yes	Certified record	No
VERMONT	Commissioner of Labor and Industry	30 days After 30 days	County Court* Supreme Court	As prescribed by Court As prescribed by Court	Yes	Yes	Certified record	Yes, on demand
VIRGIN ISLANDS	Commissioner of Labor	30 days	Court of competent jurisdiction	As in civil actions	Yes		Record	No
VIRGINIA	Industrial Commission	60 days	Supreme Court	As in equity	Yes		Certified record	No
WASHINGTON	Board of Industrial Insurance Appeals	60 days 30 days	Superior Court Further appeal	Notice of Appeal As in civil actions		Yes	Trial de novo, but on testimony before the Board	Yes, on demand
WEST VIRGINIA	Compensation Commissioner	30 days*	Supreme Court of Appeals	Petition		Yes	Record of proceedings	No
WISCONSIN	Labor and Industry Review Commission	30 days	Circuit Court Supreme Court	Action against Commission As from orders	Yes		Record	No
WYOMING	Courts	70 days	Supreme Court	Petition and bill of exceptions		Yes	Record	No
F.E.C.A.	Division of Federal Employees' Compensation, O.W.C.P.	90 days to a year	Federal Employees' Compensation Board*	Application for review		Yes	Record	No
LONGSHORE ACT	Division of Longshore and Harbor Workers' Compensation, O.W.C.P.	30 days 60 days	Benefits Review Board* U.S. Court of Appeals	Petition Petition	Yes	Yes	Record Record	No No
ALBERTA	Workers' Compensation Board	No limitation	Board	In writing		Yes	Record and written or oral testimony	No
BRITISH COLUMBIA	Ministry of Labour	90 days 90 days	Board of Review Medical Review Panel	Appeal Appeal (medical facts only)		Yes	Record and written or oral testimony Diagnosis from file and examination	No No
NEW BRUNSWICK	Workers' Compensation Board	10 days	Appeal Division, Supreme Court	Under Judicature Act[2]	Yes[3]		Record	No
NEWFOUNDLAND	Workers' Compensation Commission	No limitation	Supreme Court	Petition[2]	Yes		Record and written or oral testimony	No
NOVA SCOTIA	Workers' Compensation Board	1 year 30 days	Workers' Compensation Appeal Board Appeal Division, Supreme Court	Appeal Petition to judge for permission*	Yes[3]	Yes	De novo Record	No No
NORTHWEST TERRITORIES	Workers' Compensation Board	No limitation	Board*	Board of review		Yes	New evidence	No
ONTARIO	Workers' Compensation Board	No limitation	Appeals Adjudicator Appeal Board	Request to Registrar of Appeals		Yes	De novo	No
PRINCE EDWARD ISLAND	Workers' Compensation Board	15 days	Supreme Court in banco	Petition to judge for permission	Yes[3]		Record	No
QUEBEC	Commission	30 to 90 days	Board of Review*	Notice of appeal		Yes	Trial de novo	No
SASKATCHEWAN	Workers' Compensation Board	No limitation	Board	In writing		Yes	Record and written or oral testimony	No

N.Y. *Compensation is paid pending appeal; if reversed, carrier is reimbursed from Administration Fund.

N.C. *Commission may certify questions of law to Court of Appeals. Commission may order payment of portion of award not in dispute.

Okla. *Appeal to Workers' Compensation Court en banc within 10 days may be bypassed in favor of appeal to Supreme Court.

Ore. *Court may take additional evidence on disability not available at hearing.

Pa. *Decisions of referees are subject to appeal to the Workers' Compensation Appeal Board.

P.R. *On weight of expert testimony.

S. Dak. *Commission may order payment of portion of award not in dispute.

Vt. *Then to Supreme Court on exception.

W.Va. *May be extended for cause.

F.E.C.A. *There is no court appeal. Board has authority to make final decision on appeals.

Longshore *First level of appeal is to Benefits Review Board within the U.S. Department of Labor. Board may sit in 3-man panels. Panel decision may be reviewed, upon petition, by full Board.

N.S. *Board may request opinion on question of law on its own motion.

N.W.T. *Further appeal to Board of Commissioners.

Quebec *Further appeal to Social Affairs Commission.

CHART XVI DIRECTORY OF WORKERS' COMPENSATION ADMINISTRATORS January 1, 1985

ALABAMA

Workmen's Compensation Division
Department of Industrial Relations
Industrial Relations Building
Montgomery, Alabama 36130
(205) 261-2868
Mr. Marcus A. Davis, Acting Chief

ALASKA

Workers' Compensation Division
Department of Labor
P.O. Box 1149
Juneau, Alaska 99802
(907) 465-2790
Ms. Jacquelyn McClintock, Director

Workers' Compensation Board
Same address as Division
Mr. Jim Robison, Chairman
Mr. Thomas Chandler, Member
Mrs. Ann Pittinger, Member
Mr. David Richards, Member
Mr. Joe J. Thomas II, Member
Ms. Delia Pruhs, Member
Ms. Jacqueline Russell, Member
Mr. Elmer Eller, Member
Mr. Joe Butler, Member

AMERICAN SAMOA

Workmen's Compensation Commission
Office of the Governor
American Samoa Government
Pago, Pago, American Samoa 96799
Mr. Morris Scanlan, Chairman

ARIZONA

Industrial Commission
1601 West Washington
P.O. Box 19070
Phoenix, Arizona 85005
(602) 255-4661
Mr. Daniel Ortega, Jr., Chairman
Mrs. Ann Day Alexander, Vice Chairman
Mr. Duane Pell, Member
Mr. Charles W. Pine, Member
Mr. G. Vernon McCracken, Member
Mr. Harry G. Kelley, Director
Mrs. Marjorie L. Dight, Claims Manager

State Compensation Fund
1616 West Adams
Phoenix, Arizona 85007
Mr. William L. Finley, Manager

ARKANSAS

Workers' Compensation Commission
Justice Building
State Capitol Grounds
Little Rock, Arkansas 72201
(501) 372-3930
Mr. Burl C. Rotenberry, Chairman
Mr. J. Melvin Farrar, Commissioner
Mr. Allyn C. Tatum, Commissioner

CALIFORNIA

Division of Industrial Accidents
P.O. Box 603, Sixth Floor
San Francisco, California 94101
(415) 557-3542
Mr. Robert J. Benjamin, Administrative Director

Workers' Compensation Appeals Board
455 Golden Gate Avenue
San Francisco, California 94102
Mr. C. Gordon Taylor, Chairman
Mr. Jack R. Fenton, Commissioner
Mr. Gordon R. Gaines, Commissioner
Ms. Marilyn C. Lazar, Commissioner
Mr. Charles L. Sweezey, Commissioner
Mr. Franklin O. Grady, Commissioner

State Compensation Insurance Fund
1275 Market Street
San Francisco, California 94103
Mr. E. A. Sandberg, President

COLORADO

Division of Labor
1313 Sherman Street, Room 314
Denver, Colorado 80203
Mr. Charles J. McGrath, Director

Industrial Commission
State Services Building, 5th Floor
1525 Sherman Street
Denver, Colorado 80203
(303) 866-2448
Mr. John J. McDonald, Chairman
Mr. Gary B. Rose, Commissioner
Mr. Miguel Baca, Commissioner

State Compensation Insurance Fund
950 Broadway
Denver, Colorado 80203
Mr. Glenn Adams, Manager

CONNECTICUT

Workers' Compensation Commission
1890 Dixwell Avenue
Hamden, Connecticut 06514
(203) 789-7783
Mr. John A. Arcudi, Chairman
Mr. A. Paul Berte, Commissioner
Mr. Robin W. Waller, Commissioner
Mrs. Rhoda L. Loeb, Commissioner
Mr. Frank J. Verrilli, Commissioner
Mr. Edward F. Bradley, Commissioner
Mr. Andrew P. Denuzze, Commissioner
Mr. Gerald Kolinsky, Commissioner
Mr. Darius J. Spain, Commissioner

DELAWARE

Industrial Accident Board
State Office Building, 6th Floor
820 North French Street
Wilmington, Delaware 19801
(302) 571-2865
Mr. Warren T. Foraker, Chairman
Mr. Robert S. Powell, Member
Mrs. Joyce L. Wright, Member
Mr. James P. Robinson, III, Member
Mr. Ellsworth Jackson, Member
Mr. Calvin Boggs, Member
Mr. Wm. E. Matthews, Member
Mrs. Kathryn D. Ribynski, Administrator

DISTRICT OF COLUMBIA

Department of Employment Services
Office of Workers' Compensation
P.O. Box 56098
Washington, D.C. 20011
(202) 576-6265
Mr. Bruce M. Eanet, Associate Director

FLORIDA

Division of Workers' Compensation
Department of Labor and Employment Security
1321 Executive Center Drive-East
Tallahassee, Florida 32301
(904) 488-2548
Mr. Ray Neff, Director

GEORGIA

Board of Workers' Compensation
1000 South Omni International
10th Floor
Atlanta, Georgia 30335
(404) 656-3875
Mr. Herbert T. Greenholtz, Jr., Chairman
Mr. Don L. Knowles, Member
Mr. James C. Pullen, Secretary-Treasurer
Mr. James W. Paris, Director

GUAM

Worker's Compensation Commission
Department of Labor
Government of Guam
P.O. Box 23548
Guam Main Facility 96921-0318
Mr. Lloyd L. Umagat, Commissioner
Mr. Christian L. Delfin, Administrator

HAWAII

Disability Compensation Division
Department of Labor and Industrial Relations
830 Punchbowl Street
Honolulu, Hawaii 96813
(808) 548-4131
Dr. Joshua C. Agsalud, Director
Mr. Orlando K. Watanabe, Administrator

Labor and Industrial Relations Appeals Board
888 Mililani Street
Room 400
Honolulu, Hawaii 96813
Mr. E. John McConnell, Chairman
Mr. James H. Takushi, Member
Mr. Eduardo E. Malapit, Member

IDAHO

Industrial Commission
317 Main Street
Boise, Idaho 83720
(208) 334-2193
Mr. Gerald A. Geddes, Chairman
Mr. L. G. Sirhall, Member
Mr. Will S. Defenbach, Member
Mr. Lawrence J. Spjute, Administrator

State Insurance Fund
P.O. Box 1038
Boise, Idaho 83704
Mr. Merle Parsley, Manager

ILLINOIS

Industrial Commission
160 North LaSalle Street
Chicago, Illinois 60601
(312) 793-6611
Mr. Mervin N. Buchman, Chairman
Mr. Ralph W. Miller, Commissioner
Mr. Theodies Black, Jr., Commissioner
Mr. Calvin F. Tansor, Commissioner
Mr. Adolphus Green, Commissioner
Ms. Ruth White, Commissioner
Mr. Dennis Douglas, Commissioner

INDIANA

Industrial Board
601 State Office Building
100 North Senate Avenue
Indianapolis, Indiana 46204
(317) 232-3808
Mr. John N. Shanks II, Chairman
Mr. R.J. Noel, Member
Mr. J.J. McDonagh, Member
Mr. R.J. Cronin, Member
Mr. John A. Rader, Member
Mr. Everett N. Lucas, Member
Mr. G. Terance Coriden, Member

IOWA

Industrial Commissioner's Office
507 10th Street
Des Moines, Iowa 50319
(515) 281-5935
Mr. Robert C. Landess, Industrial Commissioner

KANSAS

Division of Workers' Compensation
Department of Human Resources
First Floor
217 S.E. Fourth Street
Topeka, Kansas 66603-3599
(913) 296-3441
Mr. John B. Rathmel, Director

KENTUCKY

Workers' Compensation Board
127 Building
U.S. 127 South
Frankfort, Kentucky 40601
(502) 564-5550
Mr. Lanny Holbrook, Chairman
Mr. Max Smith, Member
Mr. Glenn L. Schilling, Member
Mr. William Brooks, Member
Mr. George Simpson, Member
Ms. J.H. Blankenship, Director

LOUISIANA

Department of Labor
Office of Workers' Compensation
910 No. Bon Marche Street
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(504) 925-4563
Mr. Jack Leary, Assistant Secretary

MAINE

Workers' Compensation Commission
State Office Building
State House Station 27
Augusta, Maine 04333
(207) 289-3751
Mr. Charles D. Devoe, Chairman
Mr. Douglas A. Clapp, Commissioner
Mr. Nicholas Soaccia, Commissioner
Mr. David Soucy, Commissioner
Mrs. Suzanne E.K. Smith, Commissioner
Mr. Ralph Tucker, Commissioner
Mr. Kirk Sudstrup, Commissioner
Mrs. Jane S. Bradley, Commissioner
Mr. Peter Michaud, Commissioner

MARYLAND

Workmen's Compensation Commission
6 North Liberty
Baltimore, Maryland 21201
(301) 659-4700
Mr. Charles J. Krysiak, Chairman
Mr. Clement R. Mercaldo, Commissioner
Mr. Sidney W. Albert, Commissioner
Mr. Edward A. Palamara, Commissioner
Mr. G. Joseph Sills, Jr., Commissioner
Ms. Carmel J. Snow, Commissioner
Mr. J. Max Millstone, Commissioner
Mr. Robert S. Redding, Commissioner
Mr. L. Douglas Jefferson, Commissioner
Mr. Stephen Rosenbaum, Commissioner

State Accident Fund
8722 Loch Raven Boulevard
Towson, Maryland 21204
Mr. Donald Potter, Superintendent

MASSACHUSETTS

Industrial Accidents Board
Leverett Saltonstall Office Building
100 Cambridge Street
Boston, Massachusetts 02202
(617) 727-3400
Mr. Joel Pressman, Chairman
Mr. James McGuinness, Commissioner
Mr. Harry Demeter, Jr., Commissioner
Mr. William McCarthy, Commissioner
Mr. Salvatore Musco, Commissioner
Mrs. Martha Scannell, Commissioner
Mr. William A. Tickett, Commissioner
Mr. William Cleary, Commissioner
Mr. John McKinnon, Commissioner
Mr. Richard A. Rogers, Commissioner
Mr. Nicholas J. Vergados, Commissioner

MICHIGAN

Bureau of Workers' Disability Compensation
Department of Labor
P.O. Box 30016
309 North Washington Square
Lansing, Michigan 48909
(517) 373-3480
Mr. Rudy Redmond, Director
Mr. John P. Miron, Chief Deputy

Workers' Compensation Appeal Board
309 North Washington Square
Leonard Plaza Building
Lansing, Michigan 48909
Mr. Karl N. Benghauser, Chairman
Mr. Bert Lee, Member
Ms. Nancy Day, Member
Ms. Marylin E. Atkins, Member
Mr. K. Michael Miller, Member
Ms. Rosemary K. Wolock, Member
Mr. Arpo Yemen, Member
Mr. Michael J. Mason, Member
Mrs. Molly Bettner, Member
Mr. William C. Marshall, Jr., Member
Mr. Robert J. Hostettler, Member
Mrs. Janet H. Phelps, Member
Mr. Robert L. Richardson, Member
Mrs. Jane S. Colombo, Member
Mr. Hulen Simpson, Member

State Accident Fund
232 South Capitol Street
Lansing, Michigan 48914
Mr. Floyd Luginbuhl, Manager

MINNESOTA

Workers' Compensation Division
Department of Labor and Industry
444 Layafette Road
St. Paul, Minnesota 55101
(612) 296-2432
Mr. Steve Keefe, Commissioner
Mr. Jay Benanav, Deputy Commissioner

Workers' Compensation Court of Appeals
Second Floor
MEA Building
55 Sherburne Avenue
St. Paul, Minnesota 55103
Hon. John Wallraff, Chief Judge
Hon. Paul V. Rieke, Administrative Judge
Hon. Marlon F. Hanson, Judge
Hon. Leigh Gard, Judge
Hon. Raymond O. Adel, Judge

State Workers' Compensation Mutual Insurance Company
Suite 562, Southdale Office Centre
600 France Avenue South
Minneapolis, Minnesota 55435
Mr. Andrew C. Meuwissen, President/CEO

MISSISSIPPI

Workmen's Compensation Commission
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Jackson, Mississippi 39216
(601) 987-4200
Mr. Marshall G. Bennett, Chairman
Mr. O. L. Garmon, III, Commissioner
Mr. Walter M. O'Barr, Commissioner
Mrs. Brenda H. Goolsby, Secretary

MISSOURI

Division of Workers' Compensation
Department of Labor and Industrial Relations
P.O. Box 58
Jefferson City, Missouri 65102
(314) 751-4231
Mr. Richard R. Rousselot, Director

Labor and Industrial Relations Commission
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P.O. Box 599
Jefferson City, Missouri 65102
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CHART XVI ☐ DIRECTORY OF WORKERS' COMPENSATION ADMINISTRATORS ☐ January 1, 1985 (continued)

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5 South Last Chance Gulch
Helena, Montana 59604
(406) 444-6518
Mr. Gary L. Blewett, Administrator

Workers' Compensation Court
5 South Last Chance Gulch
P.O. Box 537
Helena, Montana 59624
Judge Timothy W. Reardon

State Compensation Insurance Fund
Same address as Division
Ms. Janice F. Van Riter, Bureau Chief

NEBRASKA

Workmen's Compensation Court
State House, 12th Floor
Lincoln, Nebraska 68509
(402) 471-2568
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Hon. Paul E. LeClair, Judge
Hon. Mark A. Buchholz, Judge
Hon. James P. Monen, Judge
Hon. Theodore W. Vrana, Judge
Hon. Michael P. Cavel, Judge
Mrs. Yvonne Leung, Administrator

NEVADA

State Industrial Insurance System
515 East Musser Street
Carson City, Nevada 89714
(702) 885-5284
Mr. Laury M. Lewis, General Manager

Department of Industrial Relations
1390 South Curry Street
Carson City, Nevada 89710
(702) 885-3032
Mr. James Barnes, Director

NEW HAMPSHIRE

Department of Labor
19 Pillsbury Street
Concord, New Hampshire 03301
(603) 271-3171
Vance R. Kelly, Commissioner

NEW JERSEY

Division of Workers' Compensation
Department of Labor
Call Number 381
Trenton, New Jersey 08625
(609) 292-2414
Hon. A.J. Napier, Chief Judge
Mr. Glenn Paulsen, Director

NEW MEXICO

Labor and Industrial Commission
1596 Pacheco Street
Santa Fe, New Mexico 87501
(505) 827-9870
Mr. Frank B. Smith, Labor Commissioner

Workmen's Compensation Division
Same address as commission
(505) 827-9876
Mrs. Consuelo C. Smith, Manager

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Mr. Coy Vance, Commissioner
Mr. Charles Clay, Commissioner

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Workmen's Compensation Bureau
Russell Building
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Bismarck, North Dakota 58505
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Mr. Al Gimbel, Commissioner
Mr. Ron Carlisle, Commissioner

Workmen's Compensation Fund
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Columbus, Ohio 43215
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Industrial Commission
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Mr. Stephen Hatten, Member
Mr. George C. Smith, III, Member
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State Insurance Fund
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Oklahoma Workers' Compensation Court
Jim Thorpe Building
2101 North Lincoln Boulevard
Oklahoma City, Oklahoma 73105
(405) 521-8025
Hon. Charles L. Cashion, Presiding Judge
Hon. Gary W. Sleeper, Judge
Hon. Victor R. Seagle, Judge
Hon. Bill V. Croas, Judge
Hon. Dick Lynn, Judge
Hon. Patricia Reed Demps, Judge
Hon. Clint G. Livingston, Judge
Hon. Jacque J. Jeffries-Brawner, Judge

State Insurance Fund
5th and Walnut
Oklahoma City, Oklahoma 73105
Mr. David Elenburg, Manager

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Workers' Compensation Department
Labor and Industries Building
Salem, Oregon 97310
(503) 378-3304
Mr. William J. Brown, Director

Workers' Compensation Board
480 Church Street
Salem, Oregon 97310
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Mr. George E. Lewis, Member
Mr. Greg McMurdo, Member (pending)

SAIF Corporation
400 High Street, S.E.
Salem, Oregon 97312
Mr. Gary A. Raid, President

PENNSYLVANIA

Bureau of Workers' Compensation
Department of Labor and Industry
3607 Derry Street
Harrisburg, Pennsylvania 17111
(717) 783-5421
Mr. Jan C. Smith, Director

Workers' Compensation Appeal Board
3607 Derry Street
4th Floor
Harrisburg, Pennsylvania 17111
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Mr. Anthony R. Cognetti, Commissioner
Mr. Thomas Breslin, Commissioner
Mr. Robert Fohl, Commissioner

State Workmen's Insurance Fund
100 Lackawanna Avenue
Scranton, Pennsylvania 18503
Mr. William Westington, Acting Manager

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Industrial Commissioner's Office
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San Juan, Puerto Rico 00936
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State Insurance Fund
G.P.O. Box 5028
San Juan, Puerto Rico 00936
Mr. José Ramón González, Manager

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Division of Workers' Compensation
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220 Elmwood Avenue
Providence, Rhode Island 02907
(401) 277-2722
Mr. Michael J. Hanrahan, Administrator

Workers' Compensation Commission
1 Dorrance Plaza
Providence, Rhode Island 02903
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Columbia, South Carolina 29204
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Ms. Virginia L. Crocker, Commissioner
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Mr. John E. Nabors, Executive Director

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Division of Labor and Management
Department of Labor
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Pierre, South Dakota 57501
(605) 773-3681
Mr. Peter de Hueck, Director

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Workers' Compensation Division
Department of Labor
501 Union Building
Second Floor
Nashville, Tennessee 37219
(615) 741-2395
Mrs. Sue Ann Head, Director

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Industrial Accident Board
200 East Riverside Drive, First Floor
Austin, Texas 78704
(512) 448-7900
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Mr. Bobby J. Barnes, Member
Mr. N. J. Huesis, Member
Mr. William Treacy, Executive Director

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160 East 300 South
Salt Lake City, Utah 84111
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Mr. Walter T. Axelgard, Commissioner
Mr. L. L. Neilsen, Commissioner

State Insurance Fund
560 South 300 East
Salt Lake City, Utah 84111
Mr. Dale Williams, Manager

VERMONT

Department of Labor and Industry
120 State Street
Montpelier, Vermont 05602
(802) 828-2286
Mr. William A. Dalton, Commissioner

VIRGIN ISLANDS

Department of Labor
P.O. Box 890
Christiansted, St. Croix, Virgin Islands 00801
(809) 773-6200
Mr. Douglas E. Simpson, Deputy Commissioner

VIRGINIA

Industrial Commission
1000 DMV Building
P.O. Box 1794
Richmond, Virginia 23220
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Department of Labor and Industries
General Administration Building
AX-31
Olympia, Washington 98504
(206) 753-6308
Mr. Sam Kinville, Director

Board of Industrial Insurance Appeals
410 West 5th Street
Capitol Center Building
Olympia, Washington 98504
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Mr. Frank Fennerty, Jr., Member
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Industrial Insurance Division (State Fund)
Same address as Department
Mr. Joseph Dear, Assistant Director

WEST VIRGINIA

Workers' Compensation Commissioner's Office
P.O. Box 3151
Charleston, West Virginia 25332
(304) 348-2580
Ms. Mary Martha Merritt, Commissioner

Workers' Compensation Appeal Board
112 California Avenue
Room 116
Charleston, West Virginia 25305
Mr. John H. Hankins, Chairman
Mr. Louis J. John, Member
Mrs. R. Sue Core, Member

Workmen's Compensation Fund
Same address as Commissioner's Office

WISCONSIN

Workers' Compensation Division
Department of Industry, Labor, and Human Relations
P.O. Box 7901
Room 161
201 East Washington Avenue
Madison, Wisconsin 53707
(608) 266-1340
Ms. Carol Lobes, Administrator

Labor and Industry Review Commission
P.O. Box 8126
Madison, Wisconsin 53708
Mr. David A. Pearson, Chairman

WYOMING

Workers' Compensation Division
State Treasurer's Office
2305 Carey Avenue
Cheyenne, Wyoming 82002
(307) 777-7441
Mrs. Ann E. Woodward, Director

Industrial Accident Fund
Same address as Division

UNITED STATES

Department of Labor
Employment Standards Administration
Washington, D.C. 20210
(202) 523-6191
Mr. Robert Collyer, Deputy Under Secretary

Office of Workers' Compensation Programs
(202) 523-6579
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Division of Coal Mine Workers' Compensation
(202) 523-6692
Mr. James DeMarce, Associate Director

Division of Federal Employees' Compensation
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Mr. John D. McLellan, Associate Director

Division of Longshore and Harbor Workers' Compensation
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Division of State Workers' Compensation Programs
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7th & D Streets, S.W.
Room 300
Washington, D.C. 20210
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Workers' Compensation Board
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Ms. Joan Nutter, Commissioner
Mr. Michael Parr, Commissioner
Mr. Glenn Hall, Commissioner

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Winnipeg, Manitoba R3G 1M2
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St. John's, Newfoundland A1A 3B8
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Mr. T.D. Warrington, Vice Chairman-Appeals
Dr. W.F. Jacobs, Commissioner-Appeals
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Mr. Alex Joma, Secretary
Mr. D. Cain, Associate Secretary
Mr. P.J. Walker, Register of Appeals

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Workers' Compensation Board
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Mr. Raymond Livingstone, Member
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Commission de la Sante et de la Securite du Travail
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Mr. Jean-Louis Bertrand, Vice President
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Mr. Phillip J. Leduc, Member
Mr. Robert G. McWillie, Member
Mr. Ernest R. Moody, Member
Mrs. K.L. Brown, General Manager

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Workers' Compensation Board
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Suite 300
Whitehorse, Yukon Y1A 4N7
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Miss Dorothy Wasylynchuk, Executive Director

CANADA
Labour Canada
Occupational Safety and Health Branch
Injury Compensation Division
Ottawa, Ontario K1A 0J3
(613) 997-2281
Mr. J.F. Ellsworth, Chief

Merchant Seamen Compensation Board
Labour Canada
Ottawa, Ontario K1A 0J2
Mrs. W. Porteous, Chairman
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Mr. J.F. Ellsworth, Secretary

ABBREVIATIONS AND COMPUTATIONS IN CHARTS

ABBREVIATIONS

AWW	—	Worker's average weekly wage
C.M.S.C.A.	—	Canadian Merchants Seamen's Compensation Act
F.E.C.A.	—	Federal Employees' Compensation Act
O.W.C.P.	—	Office of Workers' Compensation Programs, U.S. Department of Labor
NAWW	—	National average weekly wage
PP	—	Permanent partial disability
PT	—	Permanent total disability
SAMW	—	Statewide average monthly wage
SAWW	—	Statewide average weekly wage
TP	—	Temporary partial disability
TT	—	Temporary total disability

COMPUTATIONS—MONTHLY TO WEEKLY

All benefits payable other than on a weekly basis have been converted to an equivalent weekly rate. There are several methods of conversion in use, which may cause slight differences in result. This *Analysis* attempts to follow the practice of the jurisdiction wherever possible.

1. A method widely used in Canada is to multiply the monthly benefit by 12, divide by 365, and multiply the result by 7. Example for a monthly benefit of $750:

$$\frac{750 \times 12 \times 7}{365} = \$172.60$$

2. A second method is to multiply the monthly benefit by 12 and divide by 52. Example:

$$\frac{750 \times 12}{52} = \$173.08$$

3. The third method is to divide the monthly benefit by 4.3 or a similar figure because the average month contains 4.33 weeks. Example:

$$\frac{750}{4.3} = \$174.42$$

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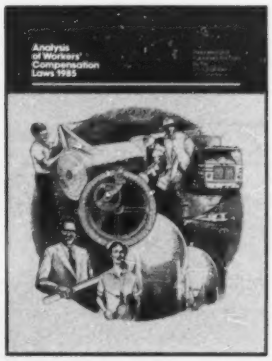

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